



# CITY OF ASHLAND



## TREE COMMISSION AGENDA September 8, 2016

### I. CALL TO ORDER

6:00 p.m. in the Siskiyou Room of the Community Development and Engineering Services Building located at 51 Winburn Way.

### II. APPROVAL OF MINUTES

Approval of August 4, 2016 meeting minutes.

### III. ANNOUNCEMENTS & LIAISON REPORTS

- City Council Liaison
- Parks & Recreation Liaison
- Community Development Liaison

### IV. PUBLIC FORUM

Welcome Guests

### V. TYPE I REVIEWS

**PLANNING ACTION:** PA-2016-01618

**SUBJECT PROPERTY:** 638-658 N. Main

**APPLICANT:** Eric Herron

**DESCRIPTION:** A request for a Tree Removal Permit to remove a potentially hazardous 30' tall, 14" diameter at breast height (DBH) Austman Pine tree from the property. The Pine is located near the northern entrance of the property and is displaying significant lean towards the structures on site.

**COMPREHENSIVE PLAN DESIGNATION:** Employment; **ZONING:** E-1; **ASSESSOR'S MAP:** 39 1E 05 AD  
**TAX LOT:** 700

**PLANNING ACTION:** PA-2016-01575

**SUBJECT PROPERTY:** 320 Grandview Drive

**APPLICANT:** Reichenshammer Building & Design, Inc.

**OWNERS:** Courtney & Matt Burkholder

**DESCRIPTION:** A request for a Physical & Environmental Constraints Review Permit for the development of a single-family residence, and removal of four trees within the proposed building envelope, on Hillside Lands with Severe Constraints for the property located at 320 Grandview Drive. Also included is a request for a Variance to exceed the maximum lot coverage by 1.8 percent (401 square feet). An Exception to the Development Standards for Hillside Lands is requested to allow a downhill wall in excess of 20 feet without the requisite six-foot setback.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development office at 541-488-5305 (TTY phone is 1-800-735-2900). Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title 1).

**COMPREHENSIVE PLAN DESIGNATION:** Rural Residential; **ZONING:** RR-.5; **ASSESSOR'S MAP:** 39 1E 05DC; **TAX LOT:** 2401.

**PLANNING ACTION:** PA-2016-01504

**SUBJECT PROPERTY:** 1098 B Street

**OWNER/APPLICANT:** RNN Properties, LLC

**DESCRIPTION:** A request for Site Design Review approval to allow the re-construction of a second dwelling located on the property at 1098 B Street. Also included are requests for Exception to Street Standards to not install city standard sidewalks, to allow the retention of an existing driveway curb cut on North Mountain Avenue that is closer to the adjacent curb cut than allowed by current codes, and for a Tree Removal Permit to remove a 15½ -inch Ash tree.

**COMPREHENSIVE PLAN DESIGNATION:** High Density Multi-Family Residential; **ZONING:** R-3; **ASSESSOR'S MAP:** 39 1E 09AD; **TAX LOT #:**100

**PLANNING ACTION:** PA-2016-01490

**SUBJECT PROPERTY:** 2020 Crestview

**PROPERTY OWNER:** Potocki

**DESCRIPTION:** A request for Site Design Review approval to allow the construction of a 494 square foot Accessory Residential Unit (ARU) in the southeast corner of 2020 Crestview. The proposal includes a request to remove one 21" DBH Fir tree.

**COMPREHENSIVE PLAN DESIGNATION:** Single-family Residential; **ZONING:** R-1-7.5; **ASSESSOR'S MAP:** 39 1E 15 DD **TAX LOT:** 210

**PLANNING ACTION:** PA-2016-01669

**SUBJECT PROPERTY:** 1615 Clark

**APPLICANT:** First Presbyterian/ Howard Miller

**DESCRIPTION:** A request for a Tree Removal Permit to remove a potentially hazardous Ginkgo Tree from the property. The Ginkgo tree is located near the center of the property and is causing damage to utility infrastructure and sidewalks.

**COMPREHENSIVE PLAN DESIGNATION:** Commercial; **ZONING:** C-1; **ASSESSOR'S MAP:** 39 1E 15 AB **TAX LOT:** 400

## **VI. ADJOURNMENT**

**Next Meeting:** October 6, 2016

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development office at 541-488-5305 (TTY phone is 1-800-735-2900). Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28 CFR 35.102-35.104 ADA Title 1).



# CITY OF ASHLAND



## DRAFT TREE COMMISSION MINUTES

August 4, 2016

### CALL TO ORDER

Chair Christopher John called the meeting to order at 6:03 in the Siskiyou Room of the Community Development and Engineering Services Building located at 51 Winburn Way.

<b>Commissioners Present:</b>	<b>Council Liaison:</b>
Casey Roland	Carol Voisin
Mike Oxendine	
Russell Neff	<b>Parks Liaison:</b>
Christopher John	Peter Baughman
Maureen Batistella	
<b>Commissioners Absent:</b>	<b>Staff Present:</b>
None	Cory Darrow, <i>Assistant Planner</i>

### APPROVAL OF MINUTES

Neff/Oxendine m/s to approve the minutes of July 7, 2016 Tree Commission meeting. Voice Vote: All ayes, minutes were approved as presented.

### ANNOUNCEMENTS & LIAISON REPORTS

- **City Council Liaison:** Voisin reported at the last City Council Study Session the Council agreed to the parking proposal from the Downtown Parking Management Circulation Ad-Hoc committee. The proposal was sent to the Transportation Commission who approved it and now it goes to the Planning Commission and on to Council. As the Downtown Parking Management Circulation Ad-Hoc Committee ceases a new Committee will be formed to look at a new Downtown Plan. Voisin said the Council is considering allowing tables and chairs to be placed in front of City Hall for Martolli's Restaurant. There will be an iron separation placed between the public right-a-way and the tables.

Voisin announced that on September 15, 2016 at 7:00 pm in the Community Development Building there will be an open house looking at the three sites being considered for a New City Hall. The sites being considered are;

1. The Community Development Building at 51 Winburn Way adding a second story on the top of the existing building,
2. The current City Hall at 20 E Main, adding a third story
3. Pioneer Hall at 73 Winburn Way.

Voisin pointed out that the Parks Department is purchasing a 45.79 acre parcel at Lithia and Hitt Road for \$360,000. They are also purchasing a dump truck for \$110,000. Council is working on the Grandview guardrail and recently passed the Fair Housing Ordinance. There will be four ballot measures for the citizens of Ashland to vote on this fall;

1. A three percent sales tax on marijuana
2. for the City to produce 10 mega-watts of renewable energy by 2020
3. To support State Legislative in the effort to improve our Health Care
4. To approve the use of the Food and Beverage Tax.

- **Parks & Recreation Department:** Parks Liaison Baughman acknowledged that the Parks Department awarded a contract to repair the culvert at the top of North Mountain Park. Oxendine thanked Baughman for his site work at the Public Library regarding preventative work he did on an at risk tree there.

- **Staff Liaison:** Darrow expressed his enthusiasm that the GIS division recently released a new web application that allows the public to view topography data, create maps and print out site plans that will enable them to calculate solar setbacks. This should be a very helpful tool to the public, stated Darrow.

The Commissioners discussed the design for the Pioneer Street Parking Plaza. Voisin remarked that the beautification plan for that area will be coming to the Council at their first meeting in September. Darrow explained that there are two options for the Tree Commission; to review the plan this evening and send their recommendation forward to the Council before their meeting or have a special study session in a couple of weeks. Darrow had the prior proposal along with the Tree Commission’s recommendation that was made last fall.

- **PUBLIC FORUM**

*Kathryn Thalden* thanked all the Commissioners for their service. Ms. Thalden expressed her concern for the Red Maples located in front of the Stop and Shop market. It has been the perception that the trees need to be removed to accommodate the new design. The opposite is what needs to happen, stated Ms. Thalden, the new design should reflect the preservation of those beautiful trees. Ms. Thalden also suggested that it would be beneficial to remove the trees in the Pioneer parking lot with gradual approach.

The Commissioners discussed the design for the Pioneer Street Parking Plaza. Voisin remarked that the beautification plan for that area will be coming to the Council at their first meeting in September. Darrow explained that there are two options for the Tree Commission; to review the plan this evening and send their recommendation forward to the Council before their meeting or have a special study session in a couple of weeks. Darrow had the prior proposal along with the Tree Commission’s recommendation that was made last fall.

**TYPE I REVIEWS**

PLANNING ACTION: PA-2016-01365

SUBJECT PROPERTY: 699 Walnut

OWNER: Lovelady

APPLICANT: D.A. Boldt Construction

DESCRIPTION: A request to construct a 486 square foot accessory residential unit on the northeast corner of the lot. One 16” DBH Redwood tree has been proposed for removal. COMPREHENSIVE PLAN DESIGNATION: Multi-family Residential; ZONING: R-2; ASSESSOR’S MAP: 39 1E 09 AC; TAX LOT: 15600.

John acknowledge that he has worked for the property owner in the past.

Darrow gave his staff report.

Applicant Darrell Bold explained why they are requesting to remove the Redwood tree.

After the Commissioners discussion with the applicant the following recommendation was made.

*Roland/Oxendine m/s to approve the removal of the Redwood tree and replace with two deciduous trees or one conifer tree. Voice Vote; all ayes, motion passed.*

PLANNING ACTION: PA-2016-01385

SUBJECT PROPERTY: 50 East Main St

OWNER/APPLICANT: Ted DeLong/Oregon Shakespeare Festival

DESCRIPTION: A request for Site Design Review approval for exterior changes to a contributing property in the Downtown Historic District. The proposal is to construct a 150 square foot addition to the existing deck located at the rear of the building located at 50 East Main Street. COMPREHENSIVE PLAN DESIGNATION: Commercial - Downtown; ZONING: C-1-D; ASSESSOR’S MAP: 39 1E 09BB; TAX LOT: 40000.

Darrow explained the Commission's job is review the adequacy of the proposed tree protection plan.

Dave Stevens from ORW Architecture 2950 East Barnett, Medford and Ted DeLong the General Manager of Oregon Shakespeare Festival was present to explain the tree protection and answer questions.

*Oxendine/Roland m/s to approve the plans as presented. Voice Vote; All ayes, motion passed.*

PLANNING ACTION: PA-2016-01316  
SUBJECT PROPERTY: 955 Bellview Avenue  
PROPERTY OWNER: Carl Surber  
APPLICANT: Mike & Linda Ganim  
DESCRIPTION: A request for a Minor Land Partition to create two tax lots for the property located at 955 Bellview Avenue. The proposed partition will create one additional lot by dividing the existing parcel.  
COMPREHENSIVE PLAN DESIGNATION: Single Family Residential; ZONING: R-1-7.5; ASSESSOR'S MAP: 39 1E 14CC TAX LOT: 4600.

Darrow explained that the scope of the Tree Commission is to review the tree protection fencing around the cluster of trees located at the end of the driveway.

After a discussion the Commissioners made the following motion.

*Oxendine/Roland m/s to approve with the condition that they provide a tree protection plan is articulated per City standards. Voice Vote; All ayes, motion passed*

### **DISCUSSION ITEMS**

Darrow brought to the attention of the Commission that there appears to be a shortage of fencing in the valley. Staff has received a couple of request to use the orange fencing rather than the traditional ix foot fencing. Staff may have to be flexible due to this problem. Commissioners wanted Darrow to be aware that they are anti orange fencing, it comes down to easily.

The Commissioners would like to have the valuation of the Tree included on the Tree Protection Zone signs.

The Commission further discussed the Pioneer Street Parking Plaza. Oxendine drafted a letter representing the Commission's recommendation for this landscape design. The letter will be forwarded to City Council. See exhibit A

### **ADJOURNMENT**

The next meeting is scheduled for September 8, 2016. There being no other items to discuss, the meeting adjourned at 8:15 p.m.

August 4, 2016

Dear Council Members,

On Thursday, August 4<sup>th</sup>, 2016 the City of Ashland Tree Commission met and discussed the reiteration of the Pioneer and Lithia Way project which Laurie Thorton (Laurie Sager and Associates Landscape Architects Inc.) has written a recommendation, drafted July 11<sup>th</sup>. We would like to formally address the council with an updated recommendation. After hosting the world's foremost expert in urban trees Mr. James Urban, and participating in his workshop it was clear to all us that alternatives to the design of this project exist and need to be further explored.

The Tree Commission carefully considered public comment provided by Kathryn Thalden, a retired landscape architect. Her recommendation is a tree-centric design with preservation of trees as one of the main objectives of the project. Another aspect of her recommendation would be to use this project as a showcase for alternatives such as rubber or pervious sidewalks as a way to get more natural water to these existing trees in order to improve their environment.

The City of Ashland Street Tree Guide recommends these species of Maple trees as drought resistant and good urban street trees. These existing trees are valuable for numerous reasons including their current size, location, shading, air filtration, canopy coverage, and tolerance to the urban environment. New trees in this location will struggle to establish due to the stressful urban environment of this location. The existing trees have already survived the hardest part of an urban trees life, the establishment period. The Zelkova trees on the north side of Lithia Way near the intersection of 1st and Lithia are a great example of hardy, urban tolerant, fast growing trees and their lack of ability to establish in this same microclimate environment (many of these trees have either died or are currently unhealthy).

We are requesting that the City Council works to preserve these valuable trees. The Tree Commission would appreciate your consideration of contracting a landscape designer to redesign this landscape. We understand the desire to redesign the current landscape and believe that the goals of the current project can still be met with the preservation of the trees.

Thank you for your consideration,

The City of Ashland Tree Commission



**NOTICE OF APPLICATION**

**PLANNING ACTION:** PA-2016-01618

**SUBJECT PROPERTY:** 638-658 N. Main

**OWNER/APPLICANT:** Eric Herron

**DESCRIPTION:** A request for a Tree Removal Permit to remove a potentially hazardous 30' tall, 14" diameter at breast height (DBH) Austman Pine tree from the property. The Pine is located near the northern entrance of the property and is displaying significant lean towards the structures on site. **COMPREHENSIVE PLAN DESIGNATION:** Employment;  
**ZONING:** E-1; **ASSESSOR'S MAP:** 39 1E 05 AD; **TAX LOT:** 700.

**NOTE:** The Ashland Tree Commission will also review this Planning Action on **Thursday, September 8, 2016 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

**NOTICE OF COMPLETE APPLICATION:** September 1, 2016

**DEADLINE FOR SUBMISSION OF WRITTEN COMMENTS:** September 15, 2016



The Ashland Planning Division Staff has received a complete application for the property noted above.

Any affected property owner or resident has a right to submit written comments to the City of Ashland Planning Division, 51 Winburn Way, Ashland, Oregon 97520 prior to 4:30 p.m. on the deadline date shown above.

Ashland Planning Division Staff determine if a Land Use application is complete within 30 days of submittal. Upon determination of completeness, a notice is sent to surrounding properties within 200 feet of the property submitting application which allows for a 14 day comment period. After the comment period and not more than 45 days from the application being deemed complete, the Planning Division Staff shall make a final decision on the application. A notice of decision is mailed to the same properties within 5 days of decision. An appeal to the Planning Commission of the Planning Division Staff's decision must be made in writing to the Ashland Planning Division within 12 days from the date of the mailing of final decision. (AMC 18.108.040)

The ordinance criteria applicable to this application are attached to this notice. Oregon law states that failure to raise an objection concerning this application, by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes your right of appeal to the Land Use Board of Appeals (LUBA) on that issue. Failure to specify which ordinance criterion the objection is based on also precludes your right of appeal to LUBA on that criterion. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow this Department to respond to the issue precludes an action for damages in circuit court.

A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost, if requested. All materials are available at the Ashland Planning Division, Community Development & Engineering Services Building, 51 Winburn Way, Ashland, Oregon 97520.

If you have questions or comments concerning this request, please feel free to contact the Ashland Planning Division at 541-488-5305.

## TREE REMOVAL PERMIT

### **18.5.7.040.B**

1. Hazard Tree. A Hazard Tree Removal Permit shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.
  - a. The applicant must demonstrate that the condition or location of the tree presents a clear public safety hazard (i.e., likely to fall and injure persons or property) or a foreseeable danger of property damage to an existing structure or facility, and such hazard or danger cannot reasonably be alleviated by treatment, relocation, or pruning. See definition of hazard tree in part 18.6.
  - b. The City may require the applicant to mitigate for the removal of each hazard tree pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.
2. Tree That is Not a Hazard. A Tree Removal Permit for a tree that is not a hazard shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.
  - a. The tree is proposed for removal in order to permit the application to be consistent with other applicable Land Use Ordinance requirements and standards, including but not limited to applicable Site Development and Design Standards in part 18.4 and Physical and Environmental Constraints in part 18.10.
  - b. Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks.
  - c. Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property. The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone.
  - d. Nothing in this section shall require that the residential density to be reduced below the permitted density allowed by the zone. In making this determination, the City may consider alternative site plans or placement of structures of alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with the other provisions of this ordinance.
  - e. The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.

Eric Herron  
Ashland Medical Plaza  
638 – 658 N. Main St.  
8/25/16

Cory Darrow  
Assistant Planner  
City of Ashland, Dept. of Community Development  
51 Winburn Way  
Ashland, OR 97520

Dear Cory Darrow:

I am requesting a permit to remove (1) 30' tall Austiman Pine that has been previously topped and damaged in past storms. This tree lean towards one of our medical facilities, Siskiyou Eye Center and is a danger to property and people. The tree current is leaning at about 30% towards the building and patient corridor.

We will be working with Bartlett Tree Service, LLC in the removal of this tree upon approved permit. We do intend on replacing this tree with a deciduous tree 10' or greater on the eastside of 638 N. Main Street. I have marked on the map the location of this new tree.

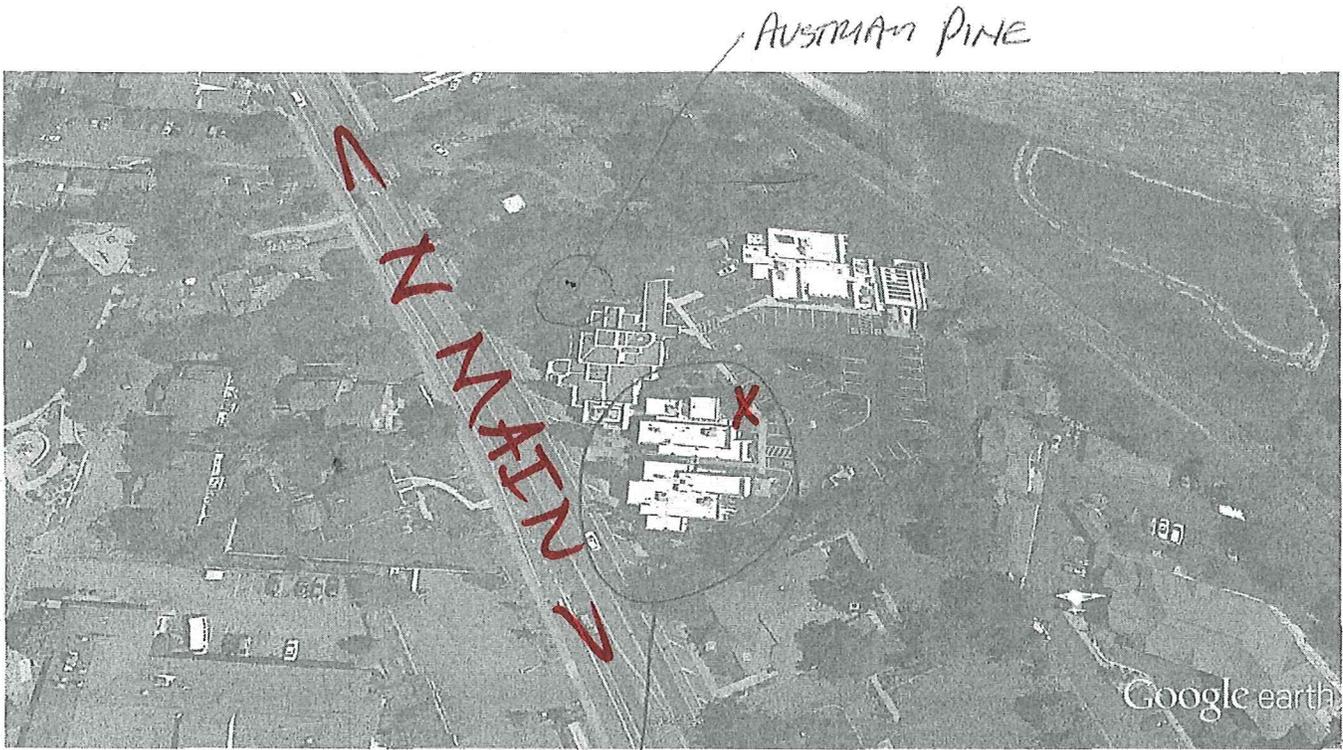
I look forward to hearing from you in the future.

Sincerely,

A handwritten signature in black ink, appearing to be 'Eric Herron', with a long horizontal line extending to the right.

Eric Herron  
541.690.6736

**RECEIVED**  
AUG 25 2016  
City Of Ashland



Google earth



638 N MAIN ST SUITE C  
ASHLAND, OR 97520

We plan on planting a new deciduous tree of 10' or greater in this location upon removal of the problematic pine. (where "X" marks the spot, east of middle building on Main St.)

**RECEIVED**  
AUG 25 2016  
City Of Ashland



"Leaf it to us"  
 (541) 779-6067 or (541) 601-6780  
 Certified Arborists on staff  
 Licensed • Bonded • Insured  
 CCB# 200490

RECEIVED

AUG 25 2016

City Of Ashland



Date: 0815 2016       INVOICE     ESTIMATE     RECEIPT

Customer: THE ELIZABETH INSTITUTE  
638 N MAIN ST.  
ASHLAND, OR 97520

ATTN: ERIC HERRON 708-543:

QUAN.	DESCRIPTION	AMOUNT
*	CONCERNING THE PINE, LEANING HEAVILY OVER THE ENTRYWAY OF THE MEDICAL FACILITY.	
	YOU HAVE AN AUSTRALIAN PINE, ABOUT 30' TALL W/A 14" DBH. THE TREE IS GROWING ON THE NORTH SIDE OF THE ENTRY DRIVE, MAYBE 25' OFF THE SIDEWALK ON N. MAIN. THE TREE IS AT ABOUT 42° 12' 28.05" N. BY 122° 43' 18.99" W. THE ELEVATION IS ABOUT 1850' ABOVE SEA LEVEL.	
	IN THE PAST, THE TREE'S ROOTS FAILED, CAUSING THE TREE'S PRESENT LEAN, OVER THE DRIVE. ADDITIONALLY, THE TREE WAS TOPPED. LEADER RE-GROWTH HAS BEEN ROBUST. EVIDENCE OF A ROOTBALL SHEAR IS NOT PRESENT.	
	THE EXCESSIVE LEAN W/ HEAVY LEADER GROWTH MAKE A FUTURE FAILURE LIKELY, THOUGH DIFFICULT TO PREDICT. MY OPINION IS THE TREE SHOULD BE REMOVED, THINNING THIS SMALL STAND OF LOCUST AND ELM TREES.	
	IF REMOVAL IS NOT POSSIBLE, PERHAPS TOPPING AGAIN.	TOTAL

Thank You. Your Business is Appreciated.

Client Signature \_\_\_\_\_



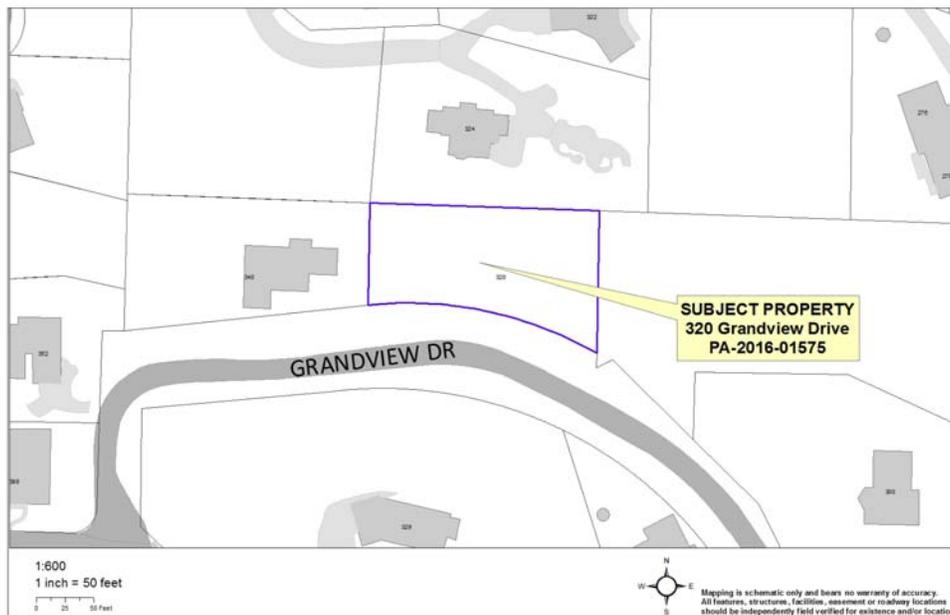


**NOTICE OF APPLICATION**

**PLANNING ACTION:** PA-2016-01575  
**SUBJECT PROPERTY:** 320 Grandview Drive  
**APPLICANT:** Reichenshammer Building & Design, Inc.  
**OWNER:** Courtney & Matt Burkholder  
**DESCRIPTION:** A request for a Physical & Environmental Constraints Review Permit for the development of a single-family residence, and removal of four trees within the proposed building envelope, on Hillside Lands with Severe Constraints for the property located at 320 Grandview Drive. Also included is a request for a Variance to exceed the maximum lot coverage by 1.8 percent (401 square feet). An Exception to the Development Standards for Hillside Lands is requested to allow a downhill wall in excess of 20 feet without the requisite six-foot setback. **COMPREHENSIVE PLAN DESIGNATION:** Rural Residential; **ZONING:** RR-.5; **ASSESSOR'S MAP:** 39 1E 05DC; **TAX LOT:** 2401.

**NOTE:** The Ashland Tree Commission will also review this Planning Action on **Thursday, September 8, 2016 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

**NOTICE OF COMPLETE APPLICATION: August 26, 2016**  
**DEADLINE FOR SUBMISSION OF WRITTEN COMMENTS: September 9, 2016**



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The ordinance criteria applicable to this application are attached to this notice. Oregon law states that failure to raise an objection concerning this application, by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes your right of appeal to the Land Use Board of Appeals (LUBA) on that issue. Failure to specify which ordinance criterion the objection is based on also precludes your right of appeal to LUBA on that criterion. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow this Department to respond to the issue precludes an action for damages in circuit court.

A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost, if requested. All materials are available at the Ashland Planning Division, Community Development & Engineering Services Building, 51 Winburn Way, Ashland, Oregon 97520.

If you have questions or comments concerning this request, please feel free to contact the Ashland Planning Division at 541-488-5305.

## PHYSICAL & ENVIRONMENTAL CONSTRAINTS

### 18.3.10.050

An application for a Physical Constraints Review Permit is subject to the Type I procedure in section 18.5.1.050 and shall be approved if the proposal meets all of the following criteria.

- A. Through the application of the development standards of this chapter, the potential impacts to the property and nearby areas have been considered, and adverse impacts have been minimized.
- B. That the applicant has considered the potential hazards that the development may create and implemented measures to mitigate the potential hazards caused by the development.
- C. That the applicant has taken all reasonable steps to reduce the adverse impact on the environment. Irreversible actions shall be considered more seriously than reversible actions. The Staff Advisor or Planning Commission shall consider the existing development of the surrounding area, and the maximum development permitted by this ordinance.

## VARIANCE

### 18.5.5.050

1. The variance is necessary because the subject code provision does not account for special or unique physical circumstances of the subject site, such as topography, natural features, adjacent development, or similar circumstances. A legal lot determination may be sufficient evidence of a hardship for purposes of approving a variance.
2. The variance is the minimum necessary to address the special or unique physical circumstances related to the subject site.
3. The proposal's benefits will be greater than any negative impacts on the development of the adjacent uses and will further the purpose and intent of this ordinance and the Comprehensive Plan of the City.
4. The need for the variance is not self-imposed by the applicant or property owner. For example, the variance request does not arise as result of a property line adjustment or land division approval previously granted to the applicant.

## EXCEPTION TO THE DEVELOPMENT STANDARDS FOR HILLSIDE LANDS

### 18.3.10.090.H

An exception under this section is not subject to the variance requirements of chapter 18.5.5 Variances. An application for an exception is subject to the Type I procedure in section 18.5.1.050 and may be granted with respect to the development standards for Hillside Lands if the proposal meets all of the following criteria.

1. There is demonstrable difficulty in meeting the specific requirements of this chapter due to a unique or unusual aspect of the site or proposed use of the site.
2. The exception will result in equal or greater protection of the resources protected under this chapter.
3. The exception is the minimum necessary to alleviate the difficulty.
4. The exception is consistent with the stated Purpose and Intent of chapter [18.3.10](#) Physical and Environmental Constraints Overlay chapter and section 18.3.10.090 Development Standards for Hillside Lands.

## TREE REMOVAL PERMIT

### 18.5.7.040.B

1. Hazard Tree. A Hazard Tree Removal Permit shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.
  - a. The applicant must demonstrate that the condition or location of the tree presents a clear public safety hazard (i.e., likely to fall and injure persons or property) or a foreseeable danger of property damage to an existing structure or facility, and such hazard or danger cannot reasonably be alleviated by treatment, relocation, or pruning. See definition of hazard tree in part 18.6.
  - b. The City may require the applicant to mitigate for the removal of each hazard tree pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.
2. Tree That is Not a Hazard. A Tree Removal Permit for a tree that is not a hazard shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.
  - a. The tree is proposed for removal in order to permit the application to be consistent with other applicable Land Use Ordinance requirements and standards, including but not limited to applicable Site Development and Design Standards in part 18.4 and Physical and Environmental Constraints in part 18.10.
  - b. Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks.
  - c. Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property. The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone.
  - d. Nothing in this section shall require that the residential density to be reduced below the permitted density allowed by the zone. In making this determination, the City may consider alternative site plans or placement of structures of alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with the other provisions of this ordinance.
  - e. The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.

**PROPOSAL**

**COURTNEY AND MATT BURKHOLDER RESIDENCE  
320 GRANDVIEW DRIVE, ASHLAND, OR**

**TYPE I  
PHYSICAL & ENVIRONMENTAL CONSTRAINTS PERMIT  
FOR A TWO- STORY SINGLE FAMILY RESIDENCE**

**PROJECT INFORMATION**

**PROJECT ADDRESS:**

**320 Grandview Dr.  
Ashland, OR 97520**

**PROJECT LEGAL DESCRIPTION:**

**ASSESOR'S MAP # 39-1E-05 DC-  
TAX LOT # 2400**

**COMPREHENSIVE PLAN DESIGNATION:**

**Single Family Residential**

**ZONING DESIGNATION:**

**RR- .5**

**OWNERS**

**Courtney and Matt Burkholder  
124 Manzanita St.  
Ashland, OR. 97520**

**APPLICANTS:**

**Reichenshammer Building & Design, Inc.  
64 No Pioneer St  
Ashland, OR. 97520**

**LOT DATA:**

<b>Lot Size:</b>	<b>22,515.6 Sq. Ft.</b>
<b>Residence:</b>	<b>4,210.0 Sq. Ft.</b>
<b>Garage:</b>	<b>550.0 Sq. Ft.</b>
<b>Driveway:</b>	<b>1,320.0 Sq. Ft</b>
<b>Decks:</b>	<b>948.0 Sq. Ft</b>
<b>Parking:</b>	<b>220.0 Sq. Ft</b>

**RESIDENCE DATA:**

<b>Lower Floor:</b>	<b>1,866.0 Sq. Ft</b>
<b>Main Floor:</b>	<b>2,344.0 Sq. Ft</b>
<b>Total- Residence:</b>	<b>4,210.0 Sq. Ft.</b>

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**PROJECT PROFESSIONAL TEAM**

**DESIGNER- BUILDER:**

Reichenshammer Building & Design, Inc  
64 No. Pioneer St, Ashland, OR. 97520  
Office- 541.482.1212 Cell: 541.840.7040  
[carreich@aol.com](mailto:carreich@aol.com) ,  
[designerreich@aol.com](mailto:designerreich@aol.com)

**CIVIL ENGINEER:**

Dew Engineering  
Mark Dew,  
815 Bennett Ave. Medford, OR, 97504  
541.772.1399

**GEOTECHNICAL ENGINEER:**

Applied Geotechnical Engineering  
Robin Warren, Engineer  
21 No. Main St. Suite 1, Ashland, OR. 97520  
541.226.6658

**STRUCTURAL ENGINEER:**

Pacific Structural Engineering  
Charles Furry, PE  
836 Mason Way, Medford OR 97501  
541-858-8500

**SURVEYOR:**

Terra Survey, Inc  
274 Fourth St., Ashland, OR. 97520  
541.482.6474

**CERTIFIED ARBORIST:**

Tom Myers  
2040 Ashland mine Road  
Ashland, OR 97520

**LANDSCAPE DESIGNER:**

Naturascape Designs  
Karen Marshall  
P.O. Box 793, Medford, OR  
541.501.5353

**IRRIGATION DESIGNER**

Carol's Colors  
Greg Williams  
541.535.7074

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## CITY STAFF ADVISORS

The following individuals have been consulted in order to obtain pertinent and accurate information relating to the facts presented in this application, their participation is hereby acknowledged and RBD is glad to express its appreciation for their positive contributions and advise during the development of 340 Grandview, Ashland under **PA 2014-00722**; And for their advise during the preparation of the Pre-Application for this Project.

<b>Planning Department:</b>	Mark Schexnayder, Assistant Planner
<b>Electrical Department:</b>	Dave Tygerson, Estimator/ Installer
<b>Engineering Department:</b>	Karl Johnson, Associate Engineer
<b>Water Department:</b>	Steve Walker, District Supervisor
<b>Fire Department:</b>	Marguerite Hickman, Fire Marshall

## SUBMITTALS

Application Form	
Findings of Fact	
2 Sets Scaled Plans 11"x17"	
1 Set Scaled Plan 24"x36"	
Fees	
Geotechnical Engineering Report	
Arborist Report	
Truss Plan	
Structural Engineering Calculations	
Site Plan	Sheet 1
Main Floor Plan	Sheet 2
Lower Floor Plan	Sheet 3
Elevations South and North	Sheet 4
Elevation East	Sheet 5
Elevation West	Sheet 6
Cross Sections	Sheet 7
Roof Plan	Sheet 8
Structural Engineering Plans	Sheets S1-S6
Engineering-Driveway Grading, Drainage & Erosion Control Plan	Sheet C1.1
*Civil Engineering- PA 2014-00722- Dated 7/21/14 (Reference)	Sheets C1.1-2.3
Tree inventory, Protection and Removal Plan	Sheet A.1
Landscape Planting & Tree Replacement Plan	Sheet L1.1
Landscaping Irrigation Plan	Sheet L2.1

\*NOTE: Throughout this Application Applicants will be making several references pertinent to the similarities of the Subject property and its twin parcel at 340 Grandview and some development issues and Professional Reports that were addressed at the time of the latter's property development under **PA-2014-00722** such as the shared driveway, retention walls, landscape and irrigation, etc. For clarification and reference a copy of Dew Engineering Plan Dated 7/21/2014, approved under the above mentioned - **PA 2014-00722**, is attached to this Application

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## HISTORY-THE PROPERTIES

The properties at 320 and 340 Grandview Dr. are located on the North side of Grandview Drive and are both approximately ½ an acre in size. The parcels were created in 1989 (**PA89-022**) as part of a partition. The Parcel designated as 340 Grandview is currently under construction and the Parcel known as 320 Grandview has not been developed, except for the shared driveway and retaining walls as shown on Dew Engineering Plan Sheet C1.1 Dated 7/21/2014 submitted as part of **PA 2014-00722**. Otherwise the subject property is vacant of structures, with some trees, and native grass. Both parcels slope downhill to the north away from Grandview Drive.

Grandview Drive has a very wide right-of-way along the frontage of the parcels, between 70 to 80 feet in width, and the improved road surface is between 20 to 30 feet in width. The improved road surface is shifted almost entirely to the South of the right-of-way. This leaves approximately 30 to 40 feet of un-improved, steeply sloped right-of-way before the property lines of the subject parcels is reached. There are numerous trees on the site, many of which are between 6 to 10 inches in diameter at breast height.

## RECENT HISTORY- THE PROPERTIES

Applicants applied, and received approval to construct a shared driveway, and a Single Family Residence at 340 Grandview, Ashland OR 97520. As per **PA-2014-00722**.

The driveway was designed to be shared by the two parcels located at 320 and 340 Grandview Dr. Ashland, OR 97520. The driveway has been constructed (pending paving), the new City irrigation pipe (TID) was installed under the driveway, and the retaining and terraced walls were built (Pending Caps) as per City approved plans designed by Dew Engineering in cooperation with Karl Johnson, Engineering Department, and approved by the aforementioned Planning Action.

The Single Family Residence located at 340 Grandview Dr. is currently under construction also in accordance with City Approval, **PA-2014-00722** and Building Permit Number **BD -2014-01472**

**TID PIPE:** An approximately 360 feet long, 18” diameter pipe has been installed traversing both properties from East to West and a section of the pipe was located under the shared driveway as required by the City and as shown on Dew Engineering Plan in cooperation with Karl Johnson of Ashland’s Publics work/ Engineering Department, and approved by **PA2014-00722**. Such pipe replaced the pre-existing approximately 100 years old steel irrigation Pipe also known as TID pipe, at a cost to the Applicant of approximately \$40,000.00

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## **SUBJECT PROPERTY DESCRIPTION**

The subject property was created in 1989 (**PA89-022**) as part of a partition and is located at 320 Grandview Drive. It holds some trees and native grasses and is situated in an area of single family detached homes, similar in size, shape and slope with its surrounding parcels. The parcel generally slopes 40% to the north away from Grandview Drive. The subject property is located on the north side of Grandview Drive and it is .51 of an acre (22,516.6 sq. ft.) in size.

Grandview Drive has a very wide right-of-way along the frontage of the subject property, between 70 to 80 feet in width, and the improved road surface is between 20 to 30 feet in width. The improved road surface is shifted almost entirely to the south of the right-of-way. This leaves approximately 30 to 40 feet of un-improved, steeply sloped right-of-way before the property lines of the subject parcels is reached.

There are many trees on the site, most of which are between 6 to 10 inches in diameter at breast height. During 2014/15 a driveway to be shared with the other part of the aforementioned partition, as well the driveway retaining walls and the replacement of the City's irrigation pipe took place as per **PA-2014-00722** at the same time utilities for both parcels were installed under the driveway.

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**ASHLAND MUNICIPAL CODE LAND USE ORDINANCE**

**APPLICABLE CHAPTERS AND SECTIONS**

<b>Chapter 18.2.5</b>	<b>Standards for Residential Zones</b>
<b>Chapter 18.3.10</b>	<b>Physical and Environmental Constrains</b>
<b>Chapter 18.3.10.020</b>	<b>Applicability</b>
<b>Chapter 18.3.10.060</b>	<b>Land Classifications</b>
<b>Chapter 18.3.10.090</b>	<b>Development Standards for Hillside Lands</b>
<b>Chapter 18.3.10.100</b>	<b>Development Standards for Wildfire Lands</b>
<b>Chapter 18.3.10.110</b>	<b>Development Standards for Severe Constraint Lands</b>
<b>Chapter 18.4.3</b>	<b>Parking, Access, and Circulation</b>
<b>Chapter 18.4.6.090</b>	<b>Utilities</b>
<b>Chapter 18.4.8</b>	<b>Solar Access</b>
<b>Chapter 18.6.1</b>	<b>Definitions.</b>
<b>MC 15.28.010</b>	<b>OFC 503.4 Fire Line Sign</b>

**REQUEST FOR A VARIANCE**

**Chapter 18.5.5.050 Lot Coverage Variance**

**REQUEST FOR AN EXCEPTION**

**Chapter 18.5.1.050 Exception to the Development Standards for Hillside Land**

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**FINDINGS OF FACTS**

**Chapter 18.3.10 PHYSICAL AND ENVIRONMENTAL CONSTRAINTS**

**18.3.10.020 Applicability A. Physical Constraints Review Permit.** A Physical Constraints Review Permit is required since the Project involves alteration of land consistent with definitions for Development Standards under the following Chapters:

**Chapter 18.3.10.060- Land Classifications**

**Chapter 18.3.10.090- Hillside Lands**

**Chapter 18.3.10.100- Wildfire Lands**

**Chapter 18.3.10.110- Severe Constraints Lands**

**18.3.10.020.b Tree Removal Permit** *Tree Removal Permit, (is required) in areas identified as Hillside Land and Severe Constraint Land, except that a permit need not be obtained for tree removal that is not associated with development, and done for the purposes of wildfire management and carried out in accord with a Fire Prevention and Control Plan approved by the Fire Chief.* Therefore, a Tree Removal Permit shall be applied for with this application.

**18.3.10.050 Approval Criteria.** *An application for a Physical Constraints Review Permit is subject to the Type I procedure in section 18.5.1.050 and shall be approved if the proposal meets all of the following criteria:*

*A. Through the application of the development standards of this chapter, the potential impacts to the property and nearby areas have been considered, and adverse impacts have been minimized.*

The applicants have and will be taking all reasonable steps as outlined in **Chapter 18.3.10.060- Land Classifications** which includes **Hillside Lands Chapter- 18.3.10.090, Wildfire Lands- Chapter 10.3.10.100 and Development Standards for Severe Constraints Lands- Chapter 18.3.10.110** To minimize potential impacts to adjacent properties. The applicants and property owners conversed directly and indirectly with neighbors, also they have hired a Professional Land Surveyor, a Geotechnical Engineer, a Civil Engineer, a Structural Engineer, a Landscape Designer, a Certified Arborist and Reichenshammer Building and Design, Inc, as, Residential Designer and Builder in order to address any potential impacts associated with the construction of the home. From the various meetings and communications, the Applicants and property owners contend any and all potential adverse impacts have been minimized

*B. That the applicant has considered the potential hazards that the development may create and implemented measures to mitigate the potential hazards caused by the development.*

The applicants have considered the potential hazards the eventual development may create and have hired Applied Geotechnical Engineering, Robin Warren, Certified Geotechnical Engineer, to evaluate the construction and site disturbance. His Report, assesses the site's existing conditions such as seismic, subsurface soils and surface soils, and any other concerns outlined on this Chapter. His complete Report is attached to this Application. Applicants have also retained the services of Mark Dew, Professional Registered Engineer, whose attached plans show all structural details pertinent to the project, as shown on Sheets #C1.1 and as detailed under corresponding Ashland Land Use Ordinance Chapters cited throughout this application.

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*C. That the applicant has taken all reasonable steps to reduce the adverse impact on the environment. Irreversible actions shall be considered more seriously than reversible actions. The Staff Advisor or Planning Commission shall consider the existing development of the surrounding area, and the maximum development permitted by this ordinance.*

The applicants have taken all reasonable steps to reduce any adverse impacts due to the construction of the home, by securing the services of a Professional Surveyor, a Geotechnical Engineer, a Civil Engineer, a Structural Engineer, a Landscape Designer, a Certified Arborist, and Reichenshammer Building and Design, Inc. as Residential Designer and Builder. From the various meetings and communications, the applicants and property owners contend any and all potential adverse impacts have been minimized.

Similar Professional Reports and Engineering Plans were previously submitted per requirements of PA 2014-00722 for 340 Grandview. Updated and New Reports have been prepared as determined by the Staff Advisor reviewing the Pre-Application. During the various stages of the home's construction, certain mitigating construction techniques have been implemented such as the installation of sediment fencing on the downhill slope prior to site disturbance as well as Tree Protection fencing and final inspection and approval by the Geotechnical Engineer before and after the home is completed. Other items submitted for your consideration may be found below.

**18.3.10.090 Development Standards for Hillside Lands** *It is the purpose of the Development Standards for Hillside Lands to provide supplementary development regulations to underlying zones to ensure that development occurs in such a manner as to protect the natural and topographic character and identity of these areas, environmental resources, the aesthetic qualities and restorative value of lands, and the public health, safety, and general welfare by insuring that development does not create soil erosion, sedimentation of lower slopes, slide damage, flooding problems, and severe cutting or scarring. It is the intent of these development standards to encourage a sensitive form of development and to allow for a reasonable use that complements the natural and visual character of the City.*

**A. General Requirements.** The following general requirements shall apply in Hillside Lands:

**1. Buildable Area.** The Residence construction is proposed to occur in an area with an average of 40% Slope which has been identified on the attached Dew Engineering Plan Sheet C1.1 Dated 7/01/2016. The parcel was approved for the building of only one residence under a 1989 Planning Action (PA89-022) and because of its slopes was not and is not eligible for partition.

**2. Building Envelope.** The Building Area was identified at the time of driveway design so as to provide access from the driveway to the subject property's garage at a conforming elevation. The driveway with corresponding elevations was engineered by Dew Engineering in cooperation with Karl Johnson of Ashland's Public Works and approved by the Planning Department under PA-2014-00722. See attached Dew Engineering Plan Sheet C1.1 Dated 7/21/2014.

**3. New Streets and Driveways.** As mentioned above the shared driveway was designed and has been constructed (pending paving). **Under PA-2014-00722** and has also been approved by Ashland's Fire department.

**4. Geotechnical Studies.** *For all applications on Hillside Lands involving subdivisions or partitions, the following additional information is required:*

The applicants have considered the potential hazards the eventual development may create and have hired Applied Geotechnical Engineering, Robin Warren, Certified Geotechnical Professional, to evaluate the site geology, including surficial survey, description of bedrock, and other materials including artificial fill, faults, folds, etc. The attached Geotechnical Report assesses the site's existing conditions such as seismic, subsurface soils and surface soils, as well as other requirements under this section.

The attached Dew Engineering Plans Dated 7/21/2014 also include mitigation language and/or graphic illustrations for site preparation, structural fill, cut and fill slopes, and erosion control measures.

The Geotechnical Report include, as required under **Chapter 18.3.10.010.A.4** the Signature and registration number of the engineer and/or geologist addressing inspection times for the Geotechnical Expert to evaluate the site's disturbances in order to ensure the construction work is in compliance with the report. By taking these steps, the applicants contend measures will be implemented to mitigate against any potential hazards the construction may cause.

**B. Hillside Grading and Erosion Control.** *All development on lands classified as Hillside shall provide plans conforming to the following items.*

**1. All grading, retaining wall design, drainage, and erosion control plan...**For details see Chapter 18.310.090.B.4 below

**3. Retention in natural state.** *On all projects on Hillside Lands involving partitions and subdivisions, and existing lots with an area greater than one-half acre, an area equal to 25 percent of the total project area, plus the percentage figure of the average slope of the total project area, shall be retained in a natural state.*

The area of the subject parcel has been documented as .51 of an acre, or 22,215.6 sq. ft. therefore 25% of the project area plus the percentage figure of the average slope of the total project area, shall be retained in a natural state:

Average slope= 40% + 25%= 65%. Project area= 22,215.6 X 65% = 14,440 sq. ft., Therefore 14,440 sq. ft. shall be retained in Natural State. Applicants anticipate that the area to be retained in a natural state will be greater than the minimum percentage required.

**4. Grading-Cuts.** Grading, cuts and fills have been designed by Dew Engineering, in accordance with **Chapter 18.3.10.090.B.1** See attached Dew Engineering Plan Dated 7/21/2014 Sheet # C1.1 Driveway Grading Plan, as well as Erosion Control Notes and General Planning Notes. Also note the Sediment Fence Detail and detail for Plastic Coverings for Slopes and Stockpiles.

Exposed cut slopes, such as those for the shared driveway greater than seven feet in height have been terraced with sections not exceeding a maximum height of five feet and a minimum of three feet in width to allow for vegetation as shown on Dew Engineering Plan Dated 7/21/2014 Sheet C2.1, and the terraced walls do not exceed a maximum vertical height of 15 feet, in accordance with **Figure 18.3.10.090.B.4.b**

**b Terraced walls:**

Dew Engineering's plans, Sheet C1.1 includes the engineered terraced walls supporting the necessary cuts and fill for the driveway, all cut and fill slopes greater than seven feet in height are being retained by engineered terraced walls not exceeding 5 feet in height per section with a maximum height of 3 sections not exceeding 15 feet in total height. The walls have a minimum 3 feet setback between each wall so as to provide a generous and healthy setting for proper plantings wellbeing. The terraced walls dimensions and construction specifications are shown on Dew Engineering Plan Dated 7/21/2014 Sheet C1.1 Detail 1, Allan block gravity wall, and detail 2 Allan block retaining wall.

**Note:** The length of terraced wall, Dew Engineering Plan Dated 7/21/2014 Sheet C1.1 detail #4 in front of the building envelope corresponding to the garage access to 320 Grandview Drive has been re-designed by Dew Engineering in cooperation with Applied Geotechnical Engineering along with a portion of the gently sloping driveway in front of that portion of the wall, so as to provide safe and manageable access to the garage to be located in the above referenced residence. As proposed such garage will be accessed from the driveway through a short pathway running over the wall and leading into the garage

**c. Stepped foundations**

Stepped footings have been engineered by Charles Furrey of Precision Structural Engineering, incorporating the footings into the building design to allow the structure to closely follow the slope and minimize the visible vertical bulk, considering that the structure is composed of only two stories to minimize site disturbance and soil export. Had the Designers added a lower (Third floor) or daylight basement, the structure would have more closely followed the Ordinance intent of building rooms below grade. However the Applicant believes that considering the specific site location, the existing driveway and other not self-imposed limitations...the design and the resulting structure minimizes the overall impact on the view scape as the Ordinance intended.

**d Revegetation** of cut slope terraces include the provision of a planting plan, introduction of top soil where necessary, and the use of irrigation. The vegetation used for these areas is native, or species similar in resource value to native plants, which will survive, help reduce the visual impact of the cut slope, and assist in providing long term slope stabilization including trees, bush-type plantings, and cascading vine-type plantings

**Landscape and Irrigation plan** The\_Landscaping plan Sheet # L1.1 shows the new plantings and trees to be installed as per grower's instructions. Sheet # L 2.1 delineates the proposed Irrigation Plan, illustrating the general location of irrigation lines and the planned irrigation heads and distribution systems. Attached to this Application please find The Plant Materials List and photographs of the proposed planting materials, Showing the Quantity, Botanical Name and Common Name and size.

**5. Grading Fill-**

b. Fill slopes will be supported by engineered terraces as per Chaptel8.3.10.B.4.b as designed by Dew Engineering Plan Dated 7/21/2014 Sheet #C2.1.

c. Utilities have not been located within fill slopes, as they are installed into a corridor as per instruction from Ashland's Public Works Department and stubbed out to the subject property South- West corner.

**C. Surface and Groundwater Drainage.** *All development on Hillside Lands shall conform to the following standards.*

1. Storm water runoff system, driveway drainage, parking areas and storm drain systems have been designed by Dew Engineering, Mark Dew, Registered Professional Engineer, an Ashland native with many years of demonstrable geotechnical design experience, in cooperation with Karl Johnson, Public Works, Engineering Division. See Dew Engineering Plan Dated 7/21/2014 Sheet C1.1 Detail #1- Driveway draining plan, in accordance with the requirements of this Section. Most items have been constructed per plans approved under **PA-2014-00722**, Sewer and Storm water lines have been installed as per approval of PA-2016-00330 and inspected and approved by the Building Department.

**D. Tree Conservation, Protection and Removal.** All development on Hillside Lands shall conform to the following requirements... Tom Myers, Certified Arborist has prepared the Arborist tree Inventory and Tree Protection Plan, Sheet A-1, Survey and corresponding Report are attached to this Application as follows:

**1 Inventory of Existing Trees.** Tom Myers Certified Arborist has prepared the attached Tree Inventory Plan and Report; as well as the Specifications for demolition and site clearing, Tree Preservation during construction and tree pruning.

His documents reflect the number and health status of trees on the site. as well as those in the proximity, outside of the property lines, mostly in the north side of the Grandview Drive right-of-way. The applicants intend to remove trees only where absolutely necessary for the construction of the project. Trees to be removed are shown and numbered on the Arborist's Plan and on site and they are identified with bright red tape, the Tree Inventory and Report is attached as part of this Application.

**2. Evaluation of Suitability for Conservation.** All trees indicated on the inventory of existing trees have been identified as to their suitability for conservation, as well as

a. Tree Health. Healthy trees can better withstand the rigors of development than non-vigorous trees.

b. Tree Structure. Trees with severe decay or substantial defects are more likely to result in damage to people and property.

c. Species. Species vary in their ability to tolerate impacts and damage to their environment.

d. Longevity. Potential longevity.

e. Variety. A variety of native tree species and ages.

f. Size. Large trees provide a greater protection for erosion and shade than smaller trees.

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**3. Tree Conservation in Project Design.** Significant trees (two feet DBH or greater conifers and one foot DBH or greater broadleaf) have been protected with appropriate fencing and incorporated into the project design whenever possible.

**4. Tree Protection.** Throughout the process the Designers have followed the tree protection standards as required by this section of the ordinance. See protection details on Tom Myers Certified Arborist Plan Sheet A-1 attached to this Application.

a. All trees designated for conservation have been clearly marked on the project site. Prior to the start of any clearing, stripping, stockpiling, trenching, grading, compaction, paving or change in ground elevation the Applicant will install tree protection fencing per **Chapter 18.4.5.030.c** Prior to any construction activity, the site shall be inspected pursuant to **Chapter 18.4.5.030.D**.

Construction site activities, including but not limited to parking, material storage, soil compaction, and concrete washout, shall be arranged so as to prevent disturbances within tree protection areas.

c. No grading, stripping, compaction, or significant change in ground elevation will be permitted within the drip line of trees designated for conservation unless indicated on the grading plans, as approved by the City, and landscape professional. If grading or construction is approved within the drip-line, a landscape professional may be required to be present during grading operations, and shall have authority to require protective measures to protect the roots.

d. Changes in soil hydrology and site drainage within tree protection areas shall be minimized. Excessive site run-off shall be directed to appropriate storm drain facilities and away from trees designated for conservation.

e. Should encroachment into a tree protection area occur which causes irreparable damage, as determined by a landscape professional, to trees, the project plan shall be revised to compensate for the loss. Under no circumstances shall the developer be relieved of responsibility for compliance with the provisions of this chapter.

**5. Tree Removal.** *Development shall be designed to preserve the maximum number of trees on a site.* Applicants have diligently worked towards the conservation of every tree on the property, and shall be removing only those trees located within the building envelope, as well as those trees that have been determined by the Project Certified Arborist to be dead or diseased, or trees that are within or adjacent to areas of cuts and fill that are deemed threatening to the life of the tree. Such trees are identified on the Arborist's plan Sheet A-1 and on site with bright pink/red tape, and are also identified with a numbered metal tag, with the number corresponding to the Arborist Plan and Report.

Trees to be removed are metal tagged and numbered # 21, #22, and #29 and possibly #28 which is closed to the excavation line, and every effort will be made to save it if possible. These trees are identified on site with bright red/ pink colored ribbon.

Trees #20, #30 and #44 were removed during driveway construction under **PA-2014-00722**,

The development will also follow the standards for fuel reduction as it is located in Wildfire Lands, in accordance with instructions from the Fire Department.

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c. Maintenance of replacement trees will be the responsibility of the property owner. Required replacement trees shall be continuously maintained in a healthy manner. Trees that die within the first five years after initial planting will be replaced in kind, after which a new five-year replacement period shall begin. Replanting must occur within 30 days of notification unless otherwise noted.

**E. Building Location and Design Standards.**

1. The subject property does not meet the criterion of **Chapter 18.310.090.1**

**2. Building Design.** *To reduce hillside disturbance through the use of slope responsive design techniques, buildings on Hillside Lands, shall incorporate the following into the building design and indicate features on required building permits.*

The proposed residence has been designed by Reichenshammer Building & Design, Inc. (RBD). RBD has designed and built homes in Ashland's hillside since 1989, including the first Earth Advantage (Award Winning) Hillside home in Southern Oregon in 1997, at 599 Ashland Creek Drive, Ashland.

RBD was an active contributor to the Hillside Standards development process, while building at that time the Life Magazine American Home of the Year, at 740 Emigrant Creek Drive in Ashland.

The design proposed through this application plans attempts to comply with the various corresponding design standard with a deep understanding and respect beyond the written words by encapsulating the spirit of the Ordinance as the writer's intended.

**a. The height of all structures shall be measured vertically from the natural grade to the uppermost point of the roof edge or peak, wall, parapet, mansard, or other feature perpendicular to that grade. Maximum hillside building height shall be 35 feet. See Figure 18.3.10.090.E.2.a.i and Figure 18.3.10.090.E.2.a.ii Figure 18.3.10.090.E.2.a.i Hillside Building Height/Permitted**

The East and West elevation (Sheet #3) shows a Building height of less than the maximum allowable height of 35 feet, as measured vertically from natural grade to the uppermost point anywhere on the building, located perpendicularly to natural grade.

**b. Cut buildings into hillsides to reduce effective visual bulk.**

The drawings showing the structure facing South (uphill) and North (downhill) Elevations Sheet #2 show a low profile residence which in order to reduce mass as indicated on the figures listed on Section a. above; consists of only two stories, predominantly horizontally shaped, as opposed to vertically, maintaining a low profile intending to merge the structure with the earth tones below and around it, and with the shade of the surrounding trees.

**i. Stepped footings** have been engineered by Charles Furrey of Precision Structural Engineering, incorporating the footings into the building design to allow the structure to closely follow the slope and minimize the visible vertical bulk, considering that the structure is composed of only two stories to minimize site disturbance and soil export. Had the Designers added a lower (Third floor) or daylight basement, the structure would have more closely followed the Ordinance intent of building rooms below grade. However the Applicant believes that considering the site-specific design location, the existing driveway and other not self-imposed limitations...the design and the resulting

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structure minimizes the overall impact on the view scape of the City of Ashland as the Ordinance creators intended.

**ii. Reduce building mass** *by utilizing below grade rooms cut into the natural slope.*

In order to achieve minimal disturbance of the parcel, the residence was designed as two levels, instead of the typical three with living spaces cut into the hillside as much as possible supported by stepped foundations as designed by Charles Furrey the Projects Structural Engineer, Had the Designers designed a lower (third level) or daylight basement it would have been located almost entirely below grade in conformance with this section of The Ordinance resulting in more below grade rooms. However, this would have created the need for a much deeper excavation resulting in undesirable greater land disturbance and soil export.

Additionally, and critically important is the fact that the garage had to be located in relation to the previously designed driveway elevation, (see **TID pipe**, below) so as to allow for access from and to the driveway and garage at a safe and manageable grade. This not-self-imposed condition dictates that the residence be located at the proposed elevation. As previously engineered and approved under **PA 2014-00722**

**TID Pipe:** Old City-owned irrigation 18” diameter pipes were located below were the existing drive is now built. The project begin as a Condition of Approval for **PA 2014-00722** which required that such pipes be replaced with new pipes prior to construction of the driveway and the residence at 340 Grandview at Builder’s own cost. (\$40,000.00) The plan for the replacement pipes was prepared by Dew Engineering in cooperation with Karl Johnson, Public Works/ Engineering Division and Steve Walker, Public Works/ Water Division. See Plan attached.

Since the pipes where connected to pre-existing TID boxes, fed by gravity; the driveway design and the driveway elevation had to conform with the pipe installation requirements.

Applicant truly hope that this explains the reason for the driveway elevation and as a consequence the compounded result of the Garage elevation and the lower floor to natural grade wall height, and that that the aforementioned statement also explains that this was not a self-imposed situation but a consequence of a very expensive (\$\$\$) article for Conditions of Approval under **PA2014-00722**

Further, the structure will not be highly visible from Downtown (a concern of the Ordinance) or highly visible from other points of the City, with the exception of Wimer St. which is directly below and to the North of the subject property.

**c. A Building Step Back** *shall be required on all downhill building walls greater than 20 feet in height, as measured above natural grade.* An ample and conforming Step-back, deeper than the minimum 6 feet required has been designed as shown on Sheet #3. As a 10 feet step-back separates the Main floor from the Upper Floor, the space has been designed so as to replace the roof section over the Main Upper floor with a step-back serving both as a deck space and a roof for the area below in accordance with **Figure 18.3.10.090.E.2.c Downhill Building Step Back.**

**Building Height.** *No vertical walls on the downhill elevations of new buildings shall exceed a maximum height of 20 feet above natural grade. See Figure 18.3.10.090.E.2.c.*

The designer's plans show the residence's downhill Elevation on Sheet #4 More specifically, he North side, down-slope facing vertical walls.

Although in this particular case the building design complies with the requirement mentioned above where it pertains to the Step-back between the Main Floor and the Lower Floor, the designers were unable to design another step-back between the Lower floor and the Natural Grade.

As a result of the elevation and location of the City-owned (TID) irrigation pipe under the driveway as per Ashland's Public Works requirements under **PA-2014-00722**, and because of the resulting final elevation of the shared driveway grade, which was engineered to conform to Public Works requirements, Dew Engineering established the elevation of the structure's Garage at a predetermined height, so as to be accessible from the shared driveway, unfortunately resulting in a lower floor/ crawl space wall with a vertical height as measured from the Main Floor to natural grade of 23 feet; exceeding by three feet the requirements of this section.

Applicants encountered a worst situation (Main Floor step-back to natural grade vertical height of 27 feet) when developing the twin parcel at 340 Grandview, for the same reason, namely a predetermined Garage floor elevation and per Staff Advisor applicants applied for an Administrative Variance to *18.3.10.090.E.2.c* which was approved under **PA-2014-00722**.

During the Pre- Application conference for the subject property, the Staff Advisor advised Applicant to apply for an Exception as outlined in **Chapter 18.5.1.050 Exception to the Development Standards for Hillside Land**

**d. Horizontal Offsets** *Continuous horizontal building planes shall not exceed a maximum length of 36 feet. Planes longer than 36 feet shall include a minimum offset of six feet. See Figure 18.3.10.090.E.2.d.*

**Lower Floor:** An offset of 6 feet deep by 21 feet in width has been incorporated into the horizontal building plane of the Lower floor, breaking the horizontal plane and leaving the West side wall at 21 feet, 10 inches in width; also there is another (adjacent) covered offset of 10 feet wide by 11 feet deep to the East of the first offset (outdoors seating area) leaving a wall width to the East of 21 feet.

**Main Floor:** An offset of 6 feet deep by 10 feet 7 inches has been designed into the horizontal wall plane leaving the West side wall at 21 feet 10 inches wide and the East wall at 30 feet 6 inches wide, measured to the next covered seating area which measures 9 feet wide by 16 feet.

**Lower Floor:** An offset of 6 feet deep by 21 feet in width has been incorporated into the horizontal building plane of the Lower floor, breaking the horizontal plane and leaving the West side wall at 21 feet, 10 inches in width; also there is another (adjacent) covered offset of 10 feet wide by 11 feet deep to the East of the first offset (outdoors seating area) leaving a wall width to the East of 21 feet.

**e. Roof forms:** *It is recommended that Roof forms and roof lines for new structures be broken into a series of smaller building components to reflect the irregular forms of the surrounding hillside.* There are no long, linear unbroken roof lines included on the design. Large gable ends have been avoided, and only one gable end has been incorporated in order to break the East-West roof lines which are surrounded by low and

smaller pitched hip roof forms including the very small hip roof over the Main Floor nook area.

**f. Decks:** *It is recommended that roofs of lower floor levels be used to provide deck or outdoor space for upper floor levels.* The building design incorporates a 10 feet step-back which separates the Main floor from the Lower Floor, the generous space has been designed so as to replace the roof section over the Main floor with a step-back serving both as a deck and open space in specific accordance with **Figure 18.3.10.090.E.2.c**. Overhanging decks with vertical supports have been avoided.

**g. Color selections:** *It is recommended that color selection for new structures be coordinated with the predominant colors of the surrounding landscape to minimize contrast between the structure and the natural environment.*

Although color selections have not been finalized, Designers are working with and advising homeowners who are prepared to follow their recommendations in order to maximize exterior colors adherence to the recommendation of this section of the Ordinance Color preference(s).

**F. Foundations:** *All structures on Hillside Lands shall have foundations designed by an engineer or architect with demonstrable geotechnical design experience.* As part of this Application Applicants are submitting Stepped foundation plans prepared by Charles Furrey of Pacific Structural Engineering in cooperation with Robin Warren, Certified Geological Engineer of Applied Geotechnical Engineering.

### **18.3.10.100 Development Standards for Wildfire Lands**

#### **1. Fire Prevention and Control Plan**

Applicants have met and will meet again on site to discuss the Fire Prevention and Control Plan in consultation with Marguerite Hickman, Fire Marshal, including the Fuel Reduction Code Changes for Wildfire Hazards, and the mitigation of such Hazards by measures including the use of domestic plantings as shown on the Landscaping Plan L-1.

The Fire Prevention and Control Plan will show the entire lot complying with the standards, also the removal of dead and dried vegetation, and trees to be removed in and near the driveway and building envelope, as well as the replacement trees designated to replace the removed trees.

**Fire Sprinklers.** The proposed residence will have fire sprinklers installed in the structure. The System and the bell for the system will be installed pursuant to new protocols for such installation by a professional Fire Alarm Company, under the approval and supervision of Marguerite Hickman, Fire Marshall. It is understood that an inside bell is no longer required.

All large trees will comply with the notations in the Arborist's report and be pruned by a professional arborist to extend the health of the trees to be retained. Trees shall be trimmed back to prevent branches from touching other trees for a distance of 12' and be limbed up above existing shrubs as part of the fuel break work. The subject Property will have natural grasses and weeds cut down to less than 3" above the ground so that if ignited any flames would be less than 1' off the ground. Such fuel break work will be done prior to any combustible construction. The applicants will also enlist the advice of Chris Chambers, Ashland Fire Dept. Wildfire Prevention Specialist, prior to any combustible construction and mitigate any unsafe vegetation within the property

lines per his direction. The residence has been designed to provide access to a path for Fire personnel, actually allowing for access to the entire perimeter of the residence.

**Roofing.** The building's roof will be constructed with Pabco Class A/ Lifetime non-wood roof shingles, in compliance with the Oregon Structural Specialty Code.

**Fire Apparatus access**

The Driveway design provides for a 20' X 40' Fire Truck work area with a turn around, and the structure will be equipped with fire sprinklers, See Dew Engineering's design Sheet #C1.1 the access has been verified and approved by Marguerite Hickman

**MC 15.28.010 OFC 503.4 Fire Line Sign**

A "No Parking- Fire Lane- Tow Away Zone" sign will be constructed as specified in Dew Engineering's plan, Sheet C2.1, and will be installed as per the Fire Marshall requirements.

**18.3.10.110 Development Standards for Severe Constraint Lands**

*A. Severe Constraint Lands are extremely sensitive to development, grading, filling, or vegetation removal and, whenever possible, alternative development should be considered.* Applicants are aware of the extremely sensitive conditions of the subject property, having built many residences on the Ashland hillside while complying with the corresponding requirements of the Land Use Ordinance. Applicants intend to continue their successful and reputable course of action such as they have carefully established in the past.

*C. Development on lands greater than 35 percent slope shall meet all pertinent requirements of section 18.3.10 – Physical and Environmental Constraints, Overlay City of Ashland, Land Use Ordinance 18.3.10.090 Development Standards for Hillside Lands in addition to the requirements of this section.*

Applicants have attempted and will continue to attempt to meet these requirements as shown throughout the attached documentation and the narrative submitted with this Application

*D. Development of land or approval for a planning action shall be allowed only when the following study has been accomplished: An engineering geologic study approved by the Public Works Director and Planning Director establishes that the site is stable for the proposed use and development. The study shall include the following information "Submitted above under 18.3.10.090 Development Standards for Hillside Lands 4. Geotechnical Studies".*

**18.3.10.130 Penalties.** Applicants are aware of the consequences detailed under this Chapter section, and are willing to diligently perform their work so as to avoid any wrongdoing resulting in the aforementioned penalties.

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## **Chapter 18.4.3 – Parking, Access, and Circulation**

### **18.4.3.050 Accessible Parking Spaces**

The shared driveway, approved under **PA-2014-00722** is accessed west bound from Grandview Drive, commencing at the curb and reaching the property from the street through a right-of-way Permitted-encroachment area. It shall be paved and constructed as per the attached design provided by Dew Engineering, See Sheet.C1.1.- Dated 7/21/2014 The access has also been designed by Dew Engineering in cooperation with and with the approval of Karl Johnson, Public Works/ Engineering Division, and an Encroachment Permit was issued by the Public Works Department at the time of **PA-2014-00722** Application and approval.

**Parking Areas** Three parking spaces have been designed for the subject property, two parking spaces will be located inside the residence's garage, an additional parking space has been built approximately 3' West of the proposed Garage on the North side of the driveway, the parking space is shown on Dew Engineering Plan, Sheets # C1.1, which was approved under **PA-2014-00722**

**3. Intersection and Driveway Separation.** The shared driveway, as built is located in excess of the 24 feet minimum separation required from the neighboring driveways, and complies with the City Streets Designs Standards for Driveway separation

### **18.4.6.090 Utilities**

All utilities are stubbed out to the subject property and have been extended from their existing source, as shown on Dew Engineering Plans Sheet C1.1, Dated 7/21/2016 and approved under **PA-2014-00722**

## **Chapter 18.4.8 – Solar Access**

Due to the slope of the parcels, the future home construction is not subject to the solar access ordinance, as addressed in the 1989 partition. (**PA89-022**)

## **Chapter 18.6.1 Definitions.**

**Coverage, Lot or Site.** *The total area of a lot covered by buildings, parking areas, driveways, and other solid surfaces that will not allow natural water infiltration to the soil.*

## **Chapter 18.2.5 – Standards for Residential Zones**

**C. Rural Residential Zone.** *Standards for the Rural Residential (RR) zone follow:*

**Lot Coverage – Maximum (% of lot area)**

**2. Lot Type- RR.5- Lot Coverage: 20%**

**Upon Applicant's request during the Pre-Application process the Staff Advisor determined that the entire area of the shared driveway's square footage located within the Subject Property lines shall be allocated as Lot Coverage to the Subject Property and not shared (as Lot Coverage) with the residence at 340 Grandview Dr.**

**Lot Coverage= 20%**

**Subject Property Lot Area= 22,216 sq. ft. x 20% = 4,443 Sq. Ft.**

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**Lot coverage as designed:**

<b>Building and Garage:</b>	<b>3,304 sq. ft.</b>
<b>Parking:</b>	<b>220 sq. ft.</b>
<b>100% of Driveway :</b>	<b><u>1,320 sq. ft.</u></b>
<b>Total Lot Coverage</b>	<b>4,844 sq. ft</b>

<b>Allowable Lot Coverage:</b>	<b>4,443 sq. ft.</b>
<b>Lot Coverage</b>	<b><u>4,844 sq. ft</u></b>
<b>Difference:</b>	<b>401 sq. ft. (over)= 1.8%</b>

**Lot Coverage Variance:** As described in AMC 18.2.5.030.A, the maximum Lot Coverage for the RR-05 zone is 20%. For the current Application, based on a proposed Lot Coverage of 21.8 % as calculated above, and as per Staff Advisor's advice Applicant will be applying for a Variance.

**Chapter 18.62.080.B.9. Inspection and Final Report** The Geological Report attached to this Application includes mitigation language and/or graphic illustrations for site preparation, structural fill, cut and fill slopes, and erosion control measures. Lastly, the report indicates that Inspections will be performed as required, by the Geotechnical Expert to evaluate the site's disturbances in order to ensure the construction work is in compliance with his instructions and the Geo Technical Report.

By taking these steps, the applicants contend measures will be implemented to mitigate against any potential hazards the construction may cause.

The Geological expert shall provide a final report indicating that the approved drainage, and erosion control measures were installed as per the approved plans and that scheduled inspections, per **Chapter 18.62.080.A.4.j** were conducted by the Geotechnical expert.

Respectfully submitted by

  
Reichenshammer Building & Design, Inc.  
Carlos Reichenshammer, President

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**COURTNEY AND MATT BURKHOLDER RESIDENCE  
320 GRANDVIEW DRIVE, ASHLAND, OR**

**TYPE I  
PHYSICAL & ENVIRONMENTAL CONSTRAINTS PERMIT  
FOR A TWO- STORY SINGLE FAMILY RESIDENCE**

**REQUEST FOR A VARIANCE TO MAXIMUM LOT COVERAGE PER CHAPTER  
18.2.5- STANDARDS FOR RESIDENTIAL ZONES-**

**Chapter 18.2.5.C. RURAL RESIDENTIAL ZONE**

**Chapter 18.2.5 – Standards for Residential Zones**

**Lot Coverage- maximum % of lot area**

**Chapter 18.2.5.C. Rural Residential Zone**

*Standards for the Rural Residential (RR) zone follow:*

**Chapter 18.2.5.C.2. Lot Type- RR.5- Lot Coverage: 20%**

**Chapter 18.5.5.050 Approval Criteria**

*A. The approval authority through a Type I or Type II procedure, as applicable, may approve a variance upon finding that it meets all of the following criteria.*

*1. The variance is necessary because the subject code provision does not account for special or unique physical circumstances of the subject site, such as topography, natural features, adjacent development, or similar circumstances. A legal lot determination may be sufficient evidence of a hardship for purposes of approving a variance.*

The Subject Property was created as a legal lot prior to the establishment of the Hillside Standards, and not in compliance with the current standards, which in the opinion of the Applicant constitutes evidence of a hardship for purposes of approving the requested Variance.

*2. The variance is the minimum necessary to address the special or unique physical circumstances related to the subject site.*

The Variance of 1.8% additional Lot Coverage constitutes an excess of 401 Sq. Ft. coverage which is proposed to be balanced by the fact that the area to be retained in Natural State exceeds by far the requirements

Under **Chapter 18.3.10.090.B.3** Retention of Land in Natural State, whereas Average slope= 40% + 25%= 65%. Project area= 22,215.6 X 65% = 14,440 sq. ft., Therefore 14,440 sq. ft. shall be retained in Natural State.

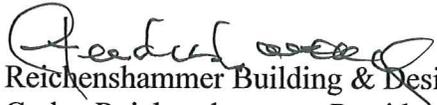
*3. The proposal's benefits will be greater than any negative impacts on the development of the adjacent uses and will further the purpose and intent of this ordinance and the Comprehensive Plan of the City.*

The proposal in no way presents negative impacts on the development of the adjacent uses and otherwise closely adheres to the purpose and intent of the ordinance And the Comprehensive Plan of the City

B. In granting a variance, the approval authority may impose conditions similar to those provided for conditional uses to protect the best interests of the surrounding property and property owners, the neighborhood, or the City as a whole

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This Request is respectfully submitted by:

  
Reichenshammer Building & Design, Inc.  
Carlos Reichenshammer, President

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**COURTNEY AND MATT BURKHOLDER RESIDENCE  
320 GRANDVIEW DRIVE, ASHLAND, OR**

**TYPE I  
PHYSICAL & ENVIRONMENTAL CONSTRAINTS PERMIT  
FOR A TWO- STORY SINGLE FAMILY RESIDENCE**

**CHAPTER 18.3.10.090.H REQUEST FOR AN EXCEPTION  
TO THE DEVELOPMENT STANDARDS FOR HILLSIDE LANDS**

During the Pre-Application conference for the subject property, the Staff Advisor advised Applicant to apply for an Exception as outlined in **Chapter 18.5.1.050 Exception to the Development Standards for Hillside Land**

**The Requested Exception: Chapter 18.3.10.090.E.c. Building Height:** *No vertical walls on the downhill elevations of new buildings shall exceed a maximum height of 20 feet above natural grade.*

An exception under this section is not subject to the variance requirements of **Chapter 18.5.5 Variances**. An exception is subject to the Type I procedure in **Section 18.5.1.050** and may be granted with respect to the development standards for Hillside Lands if the proposal meets all of the following criteria.

- 1. There is demonstrable difficulty in meeting the specific requirements of this chapter due to a unique or unusual aspect of the site or proposed use of the site.*

The designer's plans show the residence's downhill Elevation on Sheet #4 More specifically, the North side, down-slope facing vertical walls. Although in this particular case the building design complies with the requirement where it pertains to the Step-back between the Main Floor and the Lower Floor, the designers were unable to design another step-back between the Lower floor and the Natural Grade.

As a result of the elevation and location of the City-owned (TID) irrigation pipe under the driveway as per Ashland's Public Works requirements under **PA-2014-00722**, and because of the resulting final elevation of the shared driveway grade, which was engineered to conform to Public Works requirements, Dew Engineering established the elevation of the structure's Garage at a predetermined height, so as to be accessible from the shared driveway, unfortunately resulting in a lower floor/ crawl space wall with a vertical height as measured from the Main Floor to natural grade of 23 feet; exceeding by three feet the requirements of this section.

- 2. The exception will result in equal or greater protection of the resources protected under this chapter.*

Applicants are recommending that the approval of the requested Exception would eliminate the need of having to build another level, below the lowest currently proposed level, so as to create a stepback, by instead allowing the area below the 20 feet walls to be filled with material from cuts made on site and by building a small Ashlar block landscaped and irrigated planter,

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3. *The exception is the minimum necessary to alleviate the difficulty.*

As detailed above, the proposed planter would constitute minimal exposure and height, properly irrigated, covered with shrubs and cascading plants this approach will eliminate the need of lower floor decks and walkways which would require some unsightly supporting posts.

4. *The exception is consistent with the stated Purpose and Intent of chapter 18.3.10 Physical and Environmental Constraints Overlay chapter and section 18.3.10.090 Development Standards for Hillside Lands.*

Applicant has explored several other possibilities to address this situation considering the consequences and minimal impact of the proposed solution, and hereby in good faith affirms that in his opinion the Exception is consistent with the stated Purpose and Intent of chapter 18.3.10 Physical and Environmental Constraints Overlay chapter and **section 18.3.10.090** Development Standards for Hillside Lands.

Applicants encountered a worst case situation (Main Floor step-back to natural grade vertical height of 27 feet) when developing the twin parcel at 340 Grandview, for the same reason, namely a predetermined Garage floor elevation and per Staff Advisor applicants applied for an Administrative Variance to **18.3.10.090.E.2.c** which was approved under **PA-2014-00722**.

This Request is respectfully submitted by:

  
Reichenshammer Building & Design, Inc.  
Carlos Reichenshammer, President

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July 28, 2016

Reichenshammer Building and Design  
21 N. Main Street, Suite 1  
Ashland, OR 97520

**SUBJECT:      Geotechnical Investigation  
                  New Single-Family Residence  
                  320 Grandview Drive  
                  Ashland, Oregon**

At your request, Applied Geotechnical Engineering and Geologic Consulting LLC (AGEGC) has completed a geotechnical investigation for the proposed single-family residence to be built at 320 Grandview Drive in Ashland, Oregon. The intent of our work is to provide geotechnical recommendations for design and construction of the new home. AGEGC provided geotechnical engineering services during design and construction of the adjacent home located at 340 Grandview Drive. Our geotechnical investigation included a review of available geotechnical and geologic information for the property and vicinity, a ground-level reconnaissance of the property and vicinity, and engineering analyses. This report describes the work accomplished and provides our recommendations for development of the lot.

We understand that the site will be developed with a new single-family home. Due to the existing slopes, the home will require a retaining wall as part of the structure. The retaining wall for the home may be up to about 10 ft high and will be located on the uphill side of the home. We anticipate that the garage will have part structural floor and part slab-on-grade.

As part of the construction for access to the home located at 340 Grandview, MSE retaining walls were built for the new driveway. The home at 320 Grandview Drive will share a portion of the existing driveway and will abut against the downhill MSE walls for the existing driveway. The MSE walls were designed by others.

Downspouts and low-point drains from the home will be hard-piped to the storm water system.

#### **SITE DESCRIPTION**

A licensed geotechnical engineer and geologist provided by AGEGC completed a site visit to the site in July 2016. The property is relatively large and is located on the north (downhill) side of Grandview Drive. The majority of the lot is ungraded and slopes moderately down to the north/northeast, away from Grandview Drive. The majority of the property is vegetated with scattered trees and grassy areas. Indications of groundwater springs or seepage were not observed on the lot.

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Surficial soils consist of silty sand soils (decomposed granite). Geologic maps of the area indicate the site is underlain by granite. Native slopes in the vicinity of the proposed home site are relatively uniform and no indications of deep-seated slope failures were observed.

We anticipate that groundwater typically occurs at depths of greater than 30 ft; however, perched groundwater likely occurs at the top of the weathered granite during periods of heavy and/or extended rainfall.

## CONCLUSIONS AND RECOMMENDATIONS

In our opinion, the property is suitable for development with the single-family residence. The main geotechnical consideration for development of the lot is the existing MSE walls along the uphill side of the proposed building footprint (the driveway retaining walls). Extreme care must be taken to not undermine these walls during excavation for the new home's foundations. If the geotechnical recommendations for development of the lot are followed, in our opinion, there is no significant risk of slope instability on the lot or settlement due to the home. Recommendations for development of the lot are provided below.

### Lot Development

- 1) The sequence of construction of the house's foundation is critical for stability of the MSE walls above the home. We also recommend that the excavations for the foundations be constructed during typically dry summer and fall months. Saturated soils and/or groundwater seepage into cuts can cause significant sloughing and /or erosion of cut and native slopes, which could result in loss of support of the MSE walls. The general contractor, the geotechnical engineer, the excavation contractor and the MSE wall designer should discuss the construction sequence prior to start of excavation.
- 2) We anticipate that the majority of the excavation spoils will be removed from the lot due to the existing, relatively steep slopes on the site. Final graded slopes on the lot should be no steeper than 2H:1V. Temporary cut slopes up to 10 ft high completed during dry weather may be excavated at a slope of 0.5H:1V. Structural fill under buildings and concrete flatwork should be compacted to at least 95% of the maximum dry density as determined by ASTM D 698. All fills should be overbuilt a minimum of 2 ft beyond final grades then trimmed back to design elevations using a trackhoe equipped with a smooth-lip bucket. The disturbed silty sand soils are highly susceptible to erosion and should be revegetated as soon as practical. Prior to placement of any fill, the ground surface in the fill area should be stripped of organics and existing fill. The strippings are not suitable for use as compacted fill and should be removed from the site or used in landscaped areas. Slopes to receive fill should be benched with relatively flat areas during fill placement. The benches should be a minimum of 12 ft wide.
- 3) Fill placed within 2 ft of driveway areas, the house footprint, retaining walls, and concrete flatwork should consist of compacted, structural fill. The on-site soil (without deleterious material) may be used as structural fill if properly moisture conditioned and compacted; however, it is not practical to use the on-site materials as structural fill during periods of wet weather. Structural fill may also be constructed of imported granular fill, such as ¾- and 4-in.-minus crushed rock. Structural fill must be compacted to at least

95% of the maximum dry density as determined by ASTM D 698, at a moisture content within 3% of optimum. The ground surface within all areas to receive fill should be stripped of surficial organics prior to placement of the fill.

- 4) Structural loads may be supported on continuous spread footing foundations founded on stiff native, undisturbed silty sand soils or on structural fill over undisturbed native soils. We recommend that pad foundations not be used for support of the residence. Foundations should run perpendicular to the slope (uphill-downhill) where possible. Foundation excavations should be completed using a backhoe or trackhoe equipped with a smooth-lip bucket. The downhill edge of any foundation must be setback an equivalent horizontal distance of at least 10 ft from the face of any slope. This setback may be obtained by embedding the foundation below grades. On a 2H:1V slope, the downhill edge of a foundation must be embedded 5 ft below grade to obtain the recommended slope setback. Spread footing foundations may be designed for an allowable soil bearing pressure of up to 2,000 psf. This allowable soil bearing pressure assumes all footings will be founded as recommended in this report. The minimum width of any footing should not be less than 15 in., and footings should be established a minimum of 18 in. below the lowest adjacent exterior grade.
- 5) The site should be graded to provide positive drainage away from footings and exterior walls. Subsurface drains (foundation drains) should be provided adjacent to all exterior foundations.
- 6) Spread footing foundations should be underlain by a minimum of 4 in. of compacted  $\frac{3}{4}$ -in.-minus, compacted crushed rock on the foundation subgrade to protect the subgrade from disturbance due to construction. The thickness of the crushed rock may need to be increased during wet weather construction. The crushed rock should be compacted with several passes with a smooth-plate vibratory compactor.
- 7) Concrete slab-on-grade floors should be underlain by a minimum of 9 in. of  $\frac{3}{4}$ -in.-minus imported crushed rock. We recommend installation of a moisture retarding membrane under the concrete slab to minimize wicking of moisture up through the slab or leaking of moisture through the floor.
- 8) We understand that retaining walls will be constructed as part of the home. Rigid (such as concrete cantilevered walls) retaining wall foundations should have the same slope setback requirements as the house foundations. The following embedded wall design recommendations assume that the wall backfill consists of clean granular material (sand or crushed rock) within at least 2 ft of the wall, the backfill is compacted to 90 to 95% of ASTM D 698, the backfill is level within 10 ft of the wall, and the embedded wall is fully drained, i.e., hydrostatic pressure cannot act on the wall. Walls that are allowed to yield by tilting about their base (cantilevered retaining walls are typically considered yielding) should be designed using a lateral earth pressure based on an equivalent fluid having a unit weight of 35 pcf. We further recommend that horizontal earth pressures due to surcharge loads be taken as an additional uniform horizontal pressure (rectangular pressure diagram) of 0.5 times the intensity of the surcharge load acting over the entire

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height of the wall.

Horizontal shear forces can be resisted partially or completely by frictional forces developed between the base of spread footings and the underlying soil and by passive soil resistance. The total frictional resistance between the footing and the soil is the normal force times the coefficient of friction between the soil and the base of the footing. We recommend an ultimate value of 0.4 for the coefficient of friction; the normal force is the sum of the vertical forces (dead load plus real live load).

- 9) We estimate that relatively hard rock occurs at a depth of less than 20 ft at the site. In our opinion, seismic design for the new home can be completed based on a Site Class B material.
- 10) A qualified geotechnical engineer should evaluate structural fill placement and compaction, and examine the foundation excavations and evaluate the subgrade prior to construction of the foundations.

### **LIMITATIONS**

This report has been prepared to aid the owner's design team in the design and construction of the proposed home on the referenced building lot. The scope is limited to the specific project and location described herein, and our description of the project represents our understanding of the significant aspects of the project relevant to the design and construction of the proposed home.

The conclusions and recommendations submitted in this report are based on the information described above. It should be understood that there are limitations in a study of this type (without field explorations). If the owner wishes to reduce these uncertainties beyond the level associated with this report, we should be advised at once.

We have performed these services in accordance with generally accepted geotechnical engineering practices in southern Oregon at the time the study was accomplished. No other warranties, either expressed or implied, are provided.

Please contact AGEGC if you have any questions or require additional information.

Sincerely,  
Applied Geotechnical Engineering and Geologic Consulting LLC

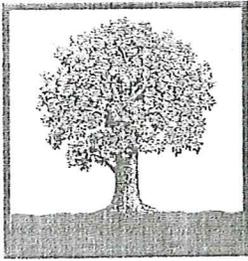


Robin L. Warren, G.E., R.G.  
Principal



Renewal: June 2018

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# Upper Limb-it Tree Service

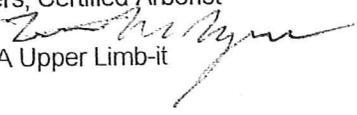
PO Box 881  
Ashland, OR 97520  
Phone: 541-482-3667

Carlos Reichenshammer  
Ashland, OR 97520

7/30/16

## Tree Protection Plan for 320 Grandview

The Tree Protection Plan for 320 Grandview is designed to address the needs of all existing trees within the project. The trees are identified by number on the plan as well as by numbered tag attached to the tree in the field. The specified tree protection zones (as stipulated in the enclosed tree inventory) will be drawn on the plans as well as delineated on the site by approved fencing. Trees with protection zones that extend within the foundation lines of the building, or driveway, as well as trees that are within the area of the foundation, or driveway, will need to be removed. All other trees within the building project borders will need protection. The enclosed specifications detail exactly how the trees are to be protected. The building contractor and subcontractors will meet with a certified arborist before and during construction to insure that the correct measures are in place before construction or demolition begins. A certified arborist must supervise any work done within the specified tree protection zone. A certified arborist will conduct an inspection of the trees during and after construction. If you have any questions regarding this tree protection plan please call me at 482-3667.

Tom Myers, Certified Arborist  
  
DBA Upper Limb-it



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Upper Limb-it  
Tree Service  
PO Box 881  
Ashland, OR 97520  
Phone 541-482-3667

Tree Inventory for 320 Grandview

7/30/16

Tree #	Species	DBH in inches	Height in feet	Crown Radius in feet	Tree protection zone radius in feet	relative tolerance to construction	Condition	Notes
1	<i>Quercus garriyanna</i>	12	32	10	6	good	good	
2	<i>Arbutus menziesii</i>	14	33	13	17.5	poor	good	
3	<i>Quercus kelloggii</i>	11	30	10	11	moderate	fair	
4	<i>Quercus garriyanna</i>	9	27	9	4.5	good	good	
5	<i>Quercus kelloggii</i>	10	29	10	10	moderate	good	
6	<i>Arbutus menziesii</i>	14	32	15	17.5	poor	good	
7	<i>Arbutus menziesii</i>	7	30	11	8.75	poor	good	
8	<i>Quercus kelloggii</i>	8	32	7	6	moderate	fair	
9	<i>Quercus kelloggii</i>	17	44	5	17	moderate	good	
10	<i>Quercus garriyanna</i>	9	39	10	4.5	good	good	
11	<i>Quercus garriyanna</i>	9	39	9	4.5	good	good	
12	<i>Quercus garriyanna</i>	8	39	9	4	good	good	
13	<i>Quercus garriyanna</i>	7	38	8	3.5	good	good	
14	<i>Quercus garriyanna</i>	10	40	11	5	good	good	
15	<i>Quercus kelloggii</i>	17	48	17	17	moderate	good	
16	<i>Quercus garriyanna</i>	10	38	10	5	good	good	
17	<i>Quercus garriyanna</i>	9	38	10	4.5	good	good	
18	<i>Quercus garriyanna</i>	16	42	15	12	good	good	
19	<i>Prunus dulcis</i>	9	24	10	9	moderate	fair	
20	<i>Calocedrus decurrens</i>	12	36	8	12	moderate	good	remove
21	<i>Quercus garriyanna</i>	7	22	8	3.5	good	good	remove
22	<i>Cercocarpus montanus</i>	6	21	8	4.5	moderate	good	remove
23	<i>Quercus garriyanna</i>	8	20	9	4	good	good	
24	<i>Quercus garriyanna</i>	6	24	7	3	good	good	
25	<i>Quercus garriyanna</i>	7	21	6	3.5	good	good	
26	<i>Quercus kelloggii</i>	7	25	8	5.25	moderate	good	
27	<i>Quercus garriyanna</i>	9	30	10	4.5	good	good	double trunk
28	<i>Calocedrus decurrens</i>	12	22	9	9	moderate	good	
29	<i>Quercus garriyanna</i>	8	24	11	4	good	fair	remove
30	<i>Quercus garriyanna</i>	8	23	9	4	good	good	REMOVE THE
31	<i>Quercus garriyanna</i>	11	27	15	5.5	good	fair	
32	<i>Quercus garriyanna</i>	9	24	8	4.5	good	fair	

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33	<i>Quercus garryana</i>	7	24	8	3.5	good	fair	
34	<i>Quercus garryana</i>	8	25	9	4	good	fair	
35	<i>Quercus garryana</i>	7	24	8	3.5	good	good	
36	<i>Quercus garryana</i>	11	25	12	5.5	good	good	
37	<i>Quercus garryana</i>	7	24	6	3.5	good	fair	
38	<i>Quercus garryana</i>	7	23	6	3.5	good	good	
39	<i>Quercus kelloggii</i>	7	24	10	5.25	moderate	good	
40	<i>Quercus kelloggii</i>	7	23	10	3.5	good	good	
41	<i>Cercocarpus montanus</i>	6	18	12	4.5	moderate	good	
42	<i>Quercus kelloggii</i>	7	18	9	5.25	moderate	poor	dead top and trunk wound
43	<i>Quercus garryana</i>	9	23	12	4.5	good	good	

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## Specifications for Demolition and Site Clearing

1. The demolition contractor is required to meet with the consultant at the site prior to beginning work to review all work procedures, access and haul routes, and tree protection measures.
2. The limits of all tree protection zones shall be staked in the field.
3. Tree(s) to be removed that have branches extending into the canopy of tree(s) to remain must be removed by a qualified arborist and not by demolition or construction contractors. The qualified arborist shall remove the tree in a manner that causes no damage to the tree(s) and under story to remain.
4. Any brush clearing required within the tree protection zone shall be accomplished with hand-operated equipment.
5. Trees to be removed shall be felled so as to fall way from tree protection zones and to avoid pulling and breaking of roots of trees to remain. If roots are entwined, the consultant may require first severing the major woody root mass before extracting the trees. This may be accomplished by cutting through the roots by hand, with a vibrating knife, rock saw, narrow trencher with sharp blades, or other approved root-pruning equipment.]
6. Trees to be removed from within the tree protection zone shall be removed by a qualified arborist. The trees shall be cut near ground level and the stump ground out.
7. All downed brush and trees shall be removed from the tree protection zone either by hand or with equipment sitting outside the tree protection zone. Extraction shall occur by lifting the material out, not by skidding it across the ground.
8. Brush shall be chipped and placed in the tree protection zone to a depth of 6 inches
9. Structures and underground features to be removed within the tree protection zone shall use the smallest equipment possible and operate from outside the tree protection zone. The consultant shall be on site during all operations within the tree protection zone to monitor demolition activity
10. All trees shall be pruned in accordance with the provided Pruning Specifications
11. A six-foot chain link fence with posts sunk into the ground shall be erected to enclose the tree protection zone
12. Any damage to trees due to demolition activities shall be reported to the consulting arborist within six hours so that remedial action can be taken. Timeliness is critical to tree health.
13. If temporary haul or access roads must pass over the root area of trees to be retained, a roadbed of 6 inches of mulch or gravel shall be created to protect the soil. The roadbed material shall be replenished as necessary to maintain a 6-inch depth.

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## Specifications for Tree Preservation During Construction

1. Before beginning work, the contractor is required to meet with the consultant at the site to review all work procedures, access routes, storage areas, and tree protection measures.
2. Fences must be erected to protect trees to be preserved. Fences define a specific protection zone for each tree or group of trees. Fences are to remain until all site work has been completed. Fences may not be relocated or removed without the written permission of the consultant.
3. Construction trailers and traffic and storage areas must remain outside fenced areas at all times.
4. All underground utilities and drain or irrigation lines shall be routed outside the tree protection zone. If lines must traverse the protection area, they shall be tunneled or bored under the tree.
5. No materials, equipment, spoil, or waste or washout water may be deposited, stored, or parked within the tree protection zone (fenced area).
6. Additional tree pruning required for clearance during construction must be performed by a qualified arborist and not by construction personnel.
7. Any herbicides placed under paving materials must be safe for use around trees and labeled for that use. Any pesticides used on site must be tree-safe and not easily transported by water.
8. If injury should occur to any tree during construction, the tree consultant should evaluate it as soon as possible so that appropriate treatments can be applied.
9. The consulting arborist must monitor any grading, construction, demolition, or other work that is expected to encounter tree roots.
10. All trees shall be irrigated on a schedule to be determined by the consultant. Irrigation shall wet the soil within the tree protection zone to a depth of 30 inches.
11. Erosion control devices such as silt fencing, debris basins, and water diversion structures shall be installed to prevent siltation and/or erosion within the tree protection zone.
12. Before grading, pad preparation, or excavation for foundations, footings, walls, or trenching, any trees within the specific construction zone shall be root pruned 1 foot outside the tree protection zone by cutting all roots cleanly to a depth of 24 inches. Roots shall be cut by manually digging a trench and cutting exposed roots with a saw, vibrating knife, rock saw, narrow trencher with sharp blades, or other approved root-pruning equipment.
13. Any roots damaged during grading or construction shall be exposed to sound tissue and cut cleanly with a saw.
14. If temporary haul or access roads must pass over the root area of trees to be retained, a road bed of 6 inches of mulch or gravel shall be created to protect the soil. The road bed material shall be replenished as necessary to maintain a 6-inch depth.

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## Specifications for Tree Pruning

1. All trees within the project area shall be pruned to:
  - a) Clear the crown of diseased, crossing, weak, and dead wood to a minimum size of 1 1/2 inches diameter.
  - b) Provide 14 feet of vertical clearance over streets and 8 feet over sidewalks.
  - c) Remove stubs, cutting outside the woundwood tissue that has formed around the branch.
  - d) Reduce end weight on heavy, horizontal branches by selectively removing small diameter branches, no greater than 2 to 3 inches near the ends of the scaffolds.
  - e) Remove any mistletoe.
2. Where temporary clearance is needed for access, branches shall be tied back to hold them out of the clearance zone.
3. Pruning shall not be performed during periods of flight of adult boring insects because fresh wounds attract pests. Pruning shall be performed only when the danger of infestation is past.
4. All pruning shall be performed by a qualified arborist.
5. All pruning shall be in accordance with the *Tree-Pruning Guidelines* (International Society of Arboriculture) and/or the ANSI A300 Pruning Standard (American National Standard for Tree Care Operations) and adhere to the most recent edition of ANSI Z133.1.
6. Interior branches shall not be stripped out.
7. Pruning cuts larger than 4 inches in diameter, except for dead wood, shall be avoided.
8. Pruning cuts that expose heartwood shall be avoided whenever possible.
9. No more than 20 percent of live foliage shall be removed within the trees.
10. While in the tree, the arborist shall perform an aerial inspection to identify defects that require treatment. Any additional work needed shall be reported to the consultant.
11. Brush shall be chipped and chips shall be spread underneath trees within the tree protection zone to a maximum depth of six inches leaving the trunk clear of mulch.

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15. Spoil from trenches, basements, or other excavations shall not be placed within the tree protection zone, either temporarily or permanently.
16. No burn piles or debris pits shall be placed within the tree protection zone. No ashes, debris, or garbage may be dumped or buried within the tree protection zone.
17. Maintain fire-safe areas around fenced areas. Also, no heat sources, flames, ignition sources, or smoking is allowed near mulch or trees.

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# CAROL'S COLORS LANDSCAPING

*Maintenance and Construction*

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www.CarolsColors.com 87 W. Nevada St, Ashland, Oregon 97520 541-535-7074

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The Turn-on phase of this service includes manually running through the system and checking for breaks and/or coverage adjustments. (Repairs are free if they are a result of faulty materials or workmanship on our part, otherwise they can be done at a rate of \$65/hr.)

## References:

Oregon Shakespeare Festival  
Ashland, Oregon  
Scott 541-482-2111 ext 385

Jim & Anita Chester  
Talent, Oregon  
541-512-9684

Reid Hanna  
1101 Siskiyou  
Ashland, Oregon  
Tom Reid  
541-482-3711

Peter & Sharon Potemkin  
195 Carolyn Court  
Talent, Oregon  
541-944-4149

Leo & Sylvia Bardes  
3367 Creek View Dr.  
Medford, Oregon 97504  
541-773-4549

Rick & Alison Penfield  
100 Ridge Rd.  
Ashland, OR 97520  
541-482-7557

**Please call our references. We are proud of our track record.**

Landscape/Irrigation Contractors License #9055  
Landscape Contractors Board  
2111 Front St NE Ste 2-101  
Salem, Oregon 97310  
(503) 967-6291

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Landscape Design and Consultation

Plant Materials List for: 320 Grandview Drive

ABBR.	QTY	BOTANICAL NAME	COMMON NAME	SIZE
CAL ACU	3	Calamagrostis x acutiflora 'Karl Foerster'	Feather Reed Grass 'Karl F.'	1 gal.
CAL DEC	6	Calocedrus decurrens	Incense Cedar	4-5'
CEA DAR	7	Ceanothus 'Dark Star'	'Dark Star' Ceanothus	5 gal.
GAR EVI	1	Garrya elliptica 'Evie'	Silktassel 'Evie'	5 gal.
MAH AQU	24	Mahonia aquifolia	Oregon Grape	2-3 gal.
ROS TUS	8	Rosmarinus officianalis 'Tuscan Blue'	Up-right Rosemary 'Tuscan Blue'	5 gal.
RUB CAL	58	Rubus calycinoides	Creeping Bramble	1 gal.
TSU MON	27	Tsuga Canadensis 'Monler'	'Emerald Fountain' Hemlock	30-36"

NOTES

1. Landscape installer is to verify locations of any existing or proposed utilities prior to grading, trenching, or excavation.
2. Area for plantings of cascading perennials. Suggested plant materials include: Aubrieta x 'Rokeys' Purple,' Basket-of-Gold Alyssum, asst. Creeping Phlox, Creeping Rosemary 'Irene,' and asst. Creeping Thyme. Plant from 4" or 1 gal. pots in a random arrangement, spaced 18" on center. Note: these are not included in the above plant materials list, but please include these in the installation bid.
3. Install pea gravel, spread at least 2" deep, in the area between the proposed retaining wall and the proposed asphalt driveway.
4. The proposed Incense Cedars (Calocedrus decurrens) serve as replacement trees for the native trees designated to be removed (see the Arborists' Tree Inventory, up-dated on 2/5/14).
5. All proposed plants are to be irrigated with a drip irrigation system. Irrigation plan is to be designed by others.
6. Proposed retaining walls have been designed and engineered by Mark Dew Engineering.
7. Landscape installer shall confer with designer regarding any proposed substitutions of plant materials. Landscape designer will approve spotting of plant materials in their specified locations prior to planting. Please allow at least 5 working days notice before designer is to be on site.

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Full Shot :: Credit: Hort Printers

*Incense Cedar*

(5) REPLACEMENT TREES

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MONROVIA



Full shot :: Credit: Hort Printers

*Dark Star Ceanothus*

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SAVONROVIA



Close Up :: Credit: Stan Shebs  
Image 1 of 3

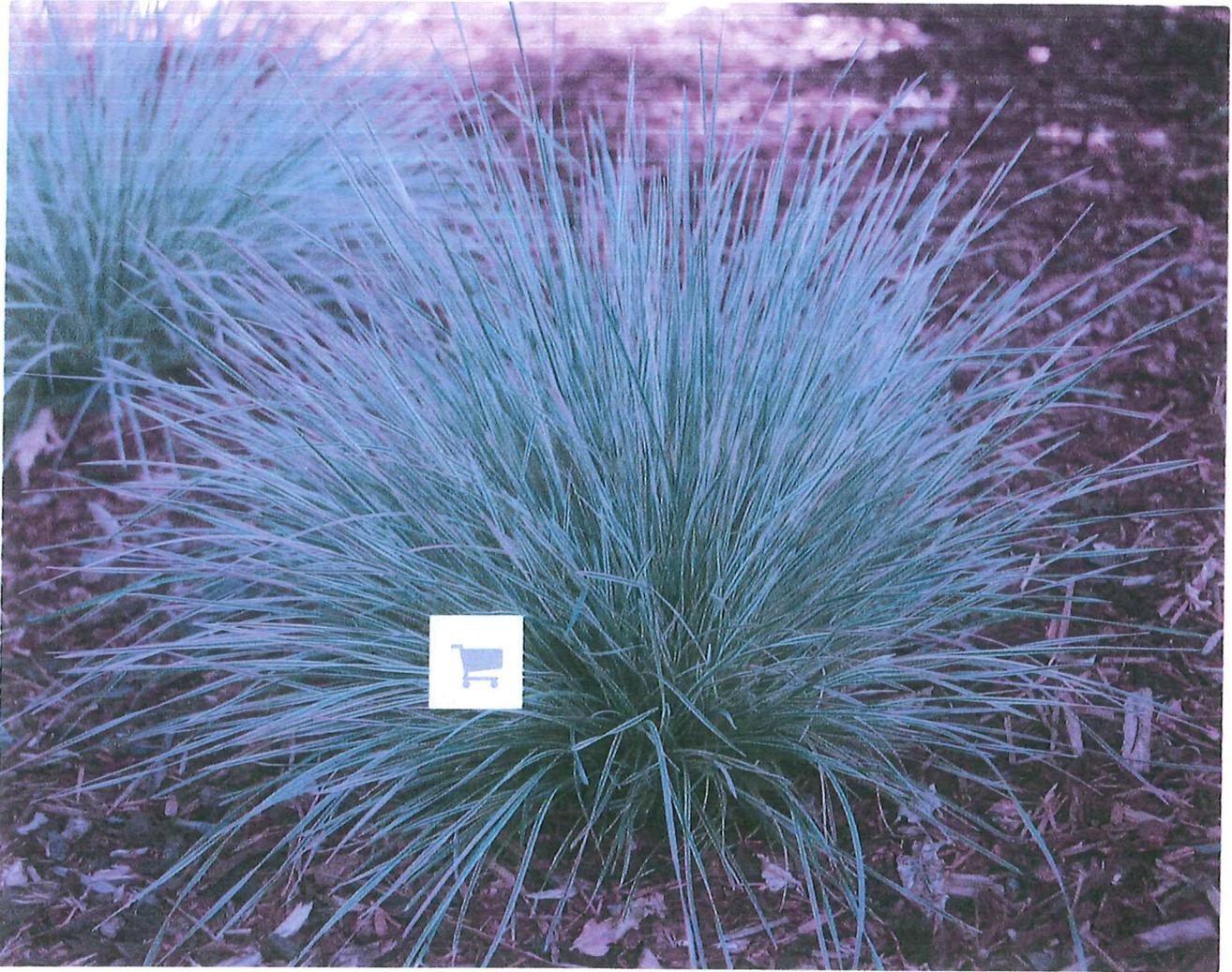
*Western Red Bud*

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MONROVIA



Full Shot :: Credit: Monrovia  
Image 1 of 2

*Northern Lights Tufted Hair Grass*

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Close Up :: Credit: Doreen Wynja  
Image 1 of 4

*Rosemary "Tuscan Blue"*

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Close Up :: Credit: Doreen Wynja  
Image 1 of 3

*Oregon Grape*

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Medium Shot :: Credit: Doreen Wynja  
Image 1 of 2

*"Emerald Fountain" Hemlock*

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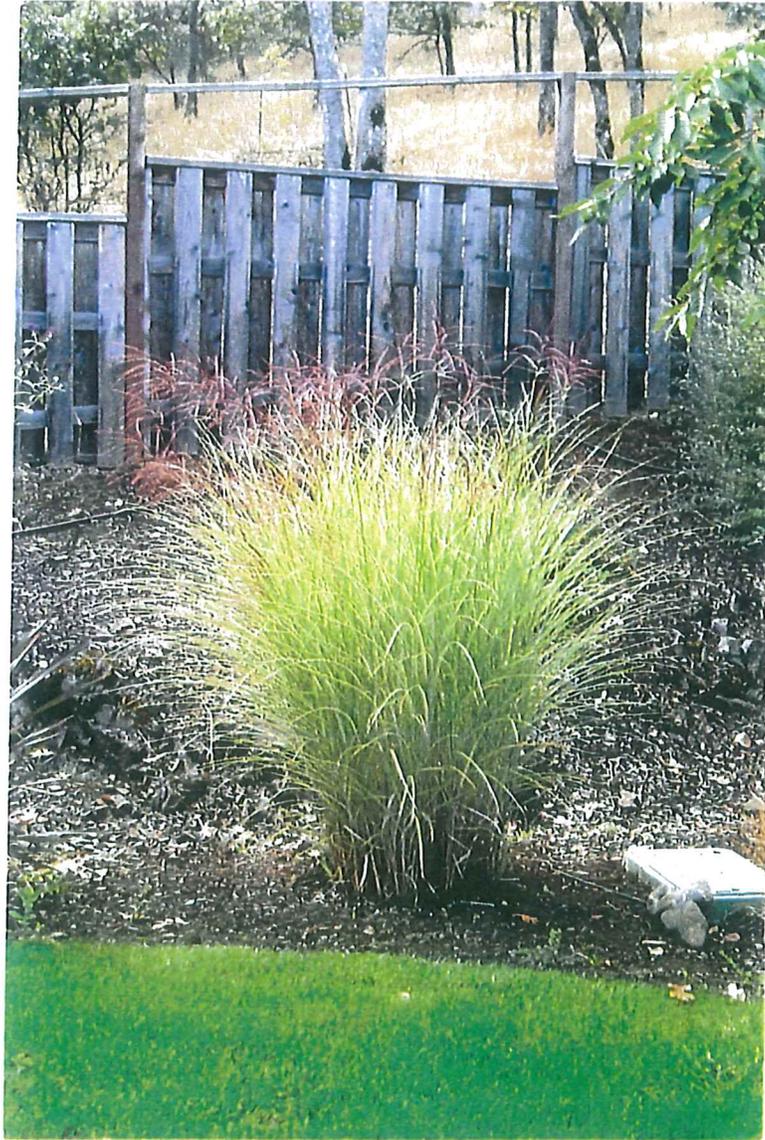


Landscape :: Credit: Monrovia  
Image 2 of 3

*Dwarf Japanese Barberry*

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LQ. ORNAMENTAL GRASS



OREGON GRAPE



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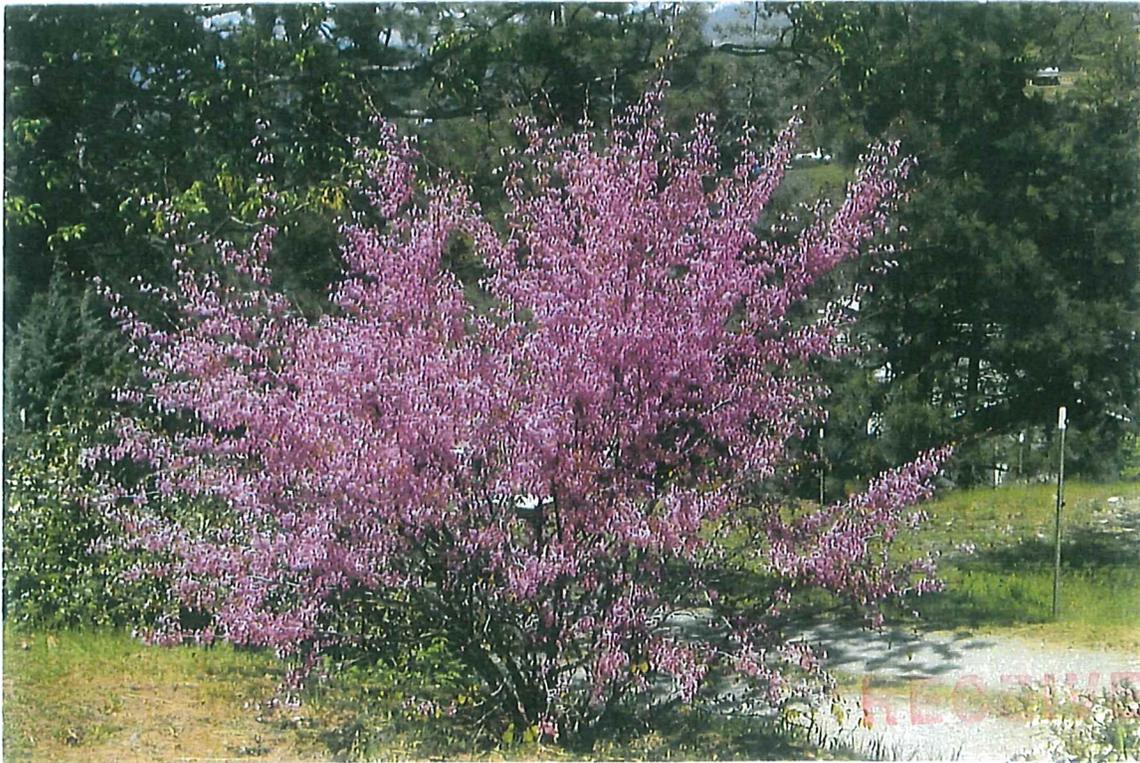
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CEANOTHUS 'VICTORIA'



WESTERN REDBUD



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**NOTICE OF APPLICATION**

**PLANNING ACTION:** 2016-01504

**SUBJECT PROPERTY:** 1098 B Street

**OWNER/APPLICANT:** RNN Properties, LLC

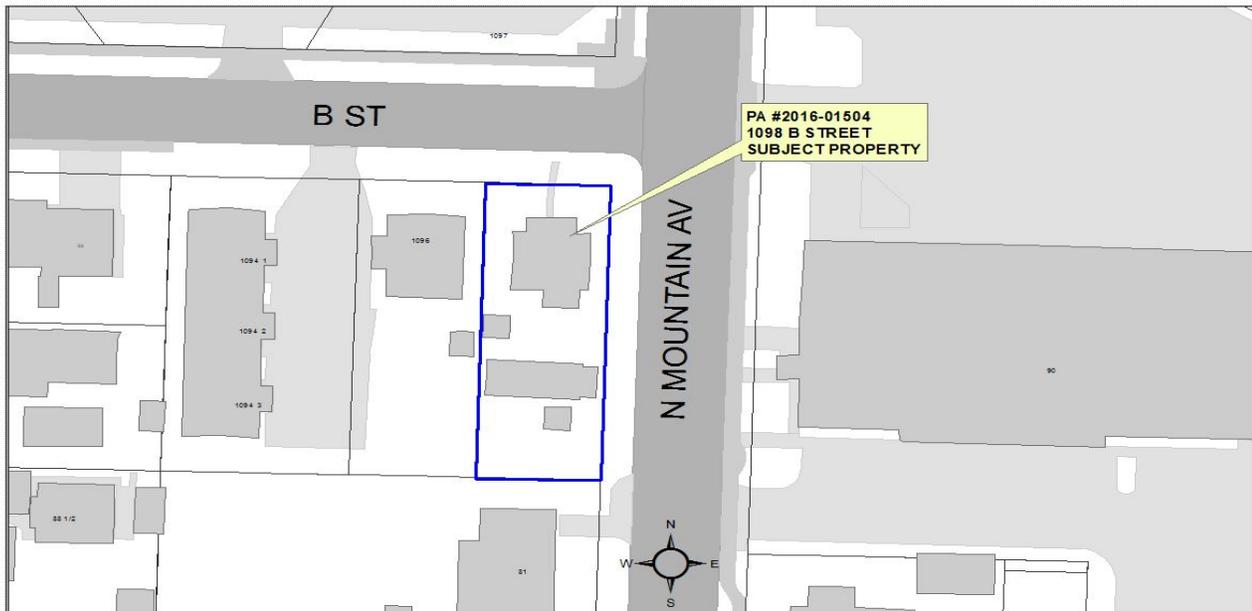
**DESCRIPTION:** A request for Site Design Review approval to allow the re-construction of a second dwelling located on the property at 1098 B Street. Also included are requests for Exception to Street Standards to not install city standard sidewalks, to allow the retention of an existing driveway curb cut on North Mountain Avenue that is closer to the adjacent curb cut than allowed by current codes, and for a Tree Removal Permit to remove a 15½ -inch Ash tree.

**COMPREHENSIVE PLAN DESIGNATION:** High Density Multi-Family Residential; **ZONING:** R-3; **ASSESSOR'S MAP:** 39 1E 09AD; **TAX LOT #:**100

**NOTE:** The Ashland Tree Commission will also review this Planning Action on **Thursday, September 8, 2016 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

**NOTICE OF COMPLETE APPLICATION:** August 29, 2016

**DEADLINE FOR SUBMISSION OF WRITTEN COMMENTS:** September 12, 2016



The Ashland Planning Division Staff has received a complete application for the property noted above.

Any affected property owner or resident has a right to submit written comments to the City of Ashland Planning Division, 51 Winburn Way, Ashland, Oregon 97520 prior to 4:30 p.m. on the deadline date shown above.

Ashland Planning Division Staff determine if a Land Use application is complete within 30 days of submittal. Upon determination of completeness, a notice is sent to surrounding properties within 200 feet of the property submitting application which allows for a 14 day comment period. After the comment period and not more than 45 days from the application being deemed complete, the Planning Division Staff shall make a final decision on the application. A notice of decision is mailed to the same properties within 5 days of decision. An appeal to the Planning Commission of the Planning Division Staff's decision must be made in writing to the Ashland Planning Division within 12 days from the date of the mailing of final decision. (AMC 18.108.040)

The ordinance criteria applicable to this application are attached to this notice. Oregon law states that failure to raise an objection concerning this application, by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes your right of appeal to the Land Use Board of Appeals (LUBA) on that issue. Failure to specify which ordinance criterion the objection is based on also precludes your right of appeal to LUBA on that criterion. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow this Department to respond to the issue precludes an action for damages in circuit court.

A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost, if requested. All materials are available at the Ashland Planning Division, Community Development & Engineering Services Building, 51 Winburn Way, Ashland, Oregon 97520.

If you have questions or comments concerning this request, please feel free to contact the Ashland Planning Division at 541-488-5305.

## SITE DESIGN AND USE STANDARDS

### 18.5.2.050

The following criteria shall be used to approve or deny an application:

- A. Underlying Zone: The proposal complies with all of the applicable provisions of the underlying zone (part 18.2), including but not limited to: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards.
- B. Overlay Zones: The proposal complies with applicable overlay zone requirements (part 18.3).
- C. Site Development and Design Standards: The proposal complies with the applicable Site Development and Design Standards of part 18.4, except as provided by subsection E, below.
- D. City Facilities: The proposal complies with the applicable standards in section 18.4.6 Public Facilities and that adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the property and adequate transportation can and will be provided to the subject property.
- E. Exception to the Site Development and Design Standards. The approval authority may approve exceptions to the Site Development and Design Standards of part 18.4 if the circumstances in either subsection 1 or 2, below, are found to exist.
  1. There is a demonstrable difficulty meeting the specific requirements of the Site Development and Design Standards due to a unique or unusual aspect of an existing structure or the proposed use of a site; and approval of the exception will not substantially negatively impact adjacent properties; and approval of the exception is consistent with the stated purpose of the Site Development and Design; and the exception requested is the minimum which would alleviate the difficulty.; or
  2. There is no demonstrable difficulty in meeting the specific requirements, but granting the exception will result in a design that equally or better achieves the stated purpose of the Site Development and Design Standards.

## EXCEPTION TO STREET STANDARDS

### 18.4.6.020.B.1

Exception to the Street Design Standards. The approval authority may approve exceptions to the standards section in 18.4.6.040 Street Design Standards if all of the following circumstances are found to exist.

- a. There is demonstrable difficulty in meeting the specific requirements of this chapter due to a unique or unusual aspect of the site or proposed use of the site.
- b. The exception will result in equal or superior transportation facilities and connectivity considering the following factors where applicable.
  - i. For transit facilities and related improvements, access, wait time, and ride experience.
  - ii. For bicycle facilities, feeling of safety, quality of experience (i.e., comfort level of bicycling along the roadway), and frequency of conflicts with vehicle cross traffic.
  - iii. For pedestrian facilities, feeling of safety, quality of experience (i.e., comfort level of walking along roadway), and ability to safety and efficiency crossing roadway.
- c. The exception is the minimum necessary to alleviate the difficulty.
- d. The exception is consistent with the Purpose and Intent of the Street Standards in subsection 18.4.6.040.A.

## TREE REMOVAL PERMIT

### 18.5.7.040.B

1. Hazard Tree. A Hazard Tree Removal Permit shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.
  - a. The applicant must demonstrate that the condition or location of the tree presents a clear public safety hazard (i.e., likely to fall and injure persons or property) or a foreseeable danger of property damage to an existing structure or facility, and such hazard or danger cannot reasonably be alleviated by treatment, relocation, or pruning. See definition of hazard tree in part 18.6.
  - b. The City may require the applicant to mitigate for the removal of each hazard tree pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.
2. Tree That is Not a Hazard. A Tree Removal Permit for a tree that is not a hazard shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.
  - a. The tree is proposed for removal in order to permit the application to be consistent with other applicable Land Use Ordinance requirements and standards, including but not limited to applicable Site Development and Design Standards in part 18.4 and Physical and Environmental Constraints in part 18.10.
  - b. Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks.
  - c. Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property. The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone.
  - d. Nothing in this section shall require that the residential density to be reduced below the permitted density allowed by the zone. In making this determination, the City may consider alternative site plans or placement of structures of alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with the other provisions of this ordinance.
  - e. The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.

1098 B Street  
Site Design Review for new second unit

RNN Properties, LLC  
7-1-2016

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August 5, 2016

## Site Review to Replace Second Unit

### Subject Property

**Address:** 1098 and 1098 ½ B Street

**Map & Tax Lot:** 39 1E 23BA; Tax Lot 201

**Property Owner:** RNN Properties, LLC  
Richard and Nisha Jackson  
2640 E Barnett E-431  
Medford, OR 97504

**Planning Consultant:** Rogue Planning and Development Services  
Amy Gunter  
1424 S Ivy Street  
Medford, OR 97501

**Building Designer:** Design Residential  
John Turman  
PO BOX 8062  
Medford, OR 97501

**Landscape Designer:** Jane Hardgrove  
<http://janehardgrovelandscapedesign.com/>

**Comprehensive Plan Designation:** High Density, Multi-Family Residential

**Zoning:** R-3

**Lot Data:**

Lot Area: .157 / 6,865 sf

Existing lot coverage:

Allowed lot coverage: 5,148.75 sf

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Proposed lot coverage: 4,128 sf  
 Open space required: 548 sf (8 percent)  
 Open spaces provided: 1,715 sf

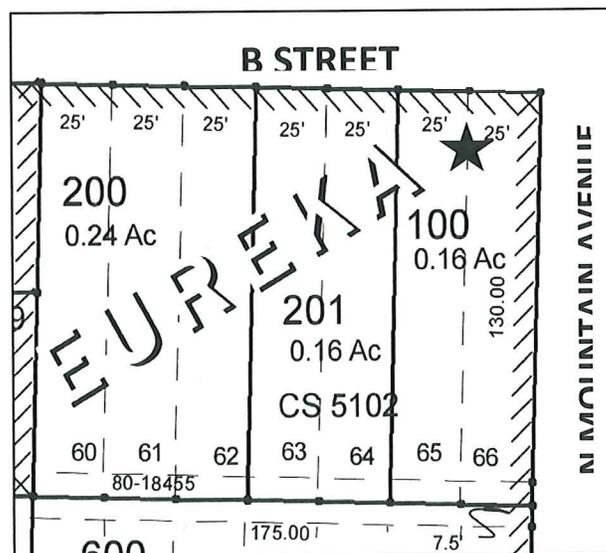
**Project Proposal:**

Site Design Review approval to allow for the reconstruction of a second dwelling unit located on the property located at 1098 ½ B Street. The application includes a request for an exception to street standards to retain the existing curb cut on North Mountain Avenue that is closer to the adjacent curbcut than allowed by current codes. The application includes a Tree removal permit for the removal of a 15.5-inch Ash tree.

**Site Background and Description:**

The subject property is at the southwest corner of the intersection of B Street and Mountain Avenue. The existing parcel is made up of two lots that were consolidated in order to permit the construction of the front residence, 1098 B Street, in 1940. The lots are Lot 65 and 66 in Block 3 of the Eureka Addition. In the 1950s the small unit at 1098 ½ B Street was constructed.

Along the south property line, a public alley was vacated and 7.5 feet was deeded to the subject property. The adjacent properties to the west, Tax Lot #200 and 201, have a 12-foot ingress/egress easement also adjacent to the south property line.



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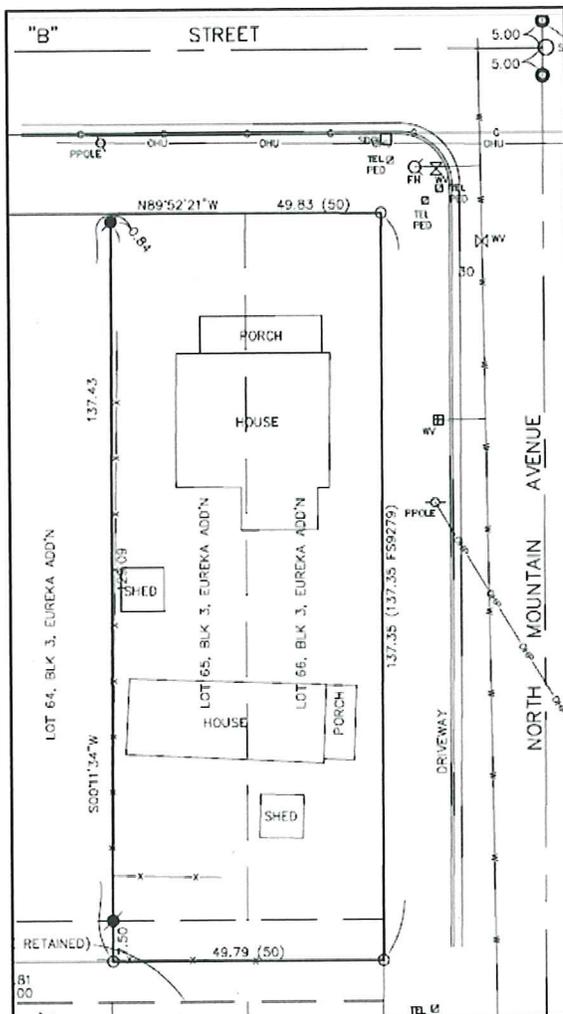
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The subject property is 6,865 square feet in area and is zoned High-Density Multiple Family Residential (R-3). The adjacent properties to the south and west are zoned R-3 and the properties to the north, across B Street and to the east across North Mountain Avenue are zoned Employment (E-1).

The property slopes gently from the south to the north at approximately four percent. The property is occupied by a 672 square foot single story residence that faces B Street and a small, 504 square foot second residential unit. According to the Jackson County Assessor's Office, the 672 square foot residence was constructed in 1949 and the 504 square foot unit in 1951. There are two 65 square foot sheds on the property as well.

There is one 15.5-inch diameter at breast height (DBH), triple stemmed, Ash tree near the east property line. This tree is proposed for removal. There are two 10-inch DBH and one 8.5-inch DBH Italian cypresses directly adjacent to the residences. There are Photina shrubs and two Photinia shrubs that have been trained into trees in the front yard (B Street). On the adjacent property to the west there are five poplar trees. These trees are on the opposite side of the six-foot-tall, wooden fence. They will be pruned to provide access along the property line. Additional tree protection fencing is not proposed due to their proximity to the area of construction and due to the presence of the side yard fencing.



The site is accessed via a 36-foot wide driveway curbcut approach located near the south property line. The driveway curbcut is approximately 20-feet from the adjacent property's driveway approach, and approximately 90-feet from the intersection of North Mountain Avenue and B Street.

Both streets are classified as Avenues in the Transportation System Plan. North Mountain Ave. is improved with curb and gutter. There is approximately ten-feet of right-of-way between the east property line and the existing curb line. B Street is improved with curb and gutter as well. There is approximately ten-feet between the north property line and the curb line. There are no sidewalks on either street along the property frontage nor on the properties to the west on B Street and on the Mountain Avenue frontage for 165-feet to the south. There is a three-way stop at the intersection.

There is a 6-inch water main in B Street, and an 6-inch water main in North Mountain Avenue. There is a 10-inch sanitary sewer main in B Street and a 12-inch sanitary sewer main in N. Mountain Avenue. The property is served by a 10-inch storm sewer main in B Street and a 10-inch storm sewer main in North

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Mountain Avenue. Electric service to the small unit is from an overhead power pole on North Mountain Avenue. Unit #1 is serviced by an overhead line on B Street. The existing residence at 1098 ½ B Street is serviced overhead by a pole on North Mountain Avenue.

The subject property and the properties to the south and west are zoned High Density Multi-Family Residential (R-3), the property to the west has a duplex and the property to the south has a detached single family residence on the site. The properties to the east across North Mountain and across B Street to the north at zoned Employment (E-1). These lots are occupied by the City of Ashland storage yards and Public Works and Electric Divisions.

**Proposal:**

The proposal is to allow the replacement of the small unit, Unit #2, with a 2,230 square foot, two story with attached garage multi-family residential unit. The existing 504 square foot residence that fronts on North Mountain Avenue has a pending demolition permit application. Unit #2 is proposed to be oriented toward North Mountain Avenue with a covered front porch area. The deck of the porch will extend into the setback on North Mountain as allowed for structures that are less than 30-inches above grade. The two units will be connected along the garage walls and the closets of the second floor bedrooms above.

The rear wall of Unit #1 is proposed to be removed to facilitate the addition of an attached garage, laundry room and office / bedroom space, there will also be a second story added to Unit #1.

**Parking, Access, Circulation:**

Each residence is proposed to have a two vehicle garage accessed from the existing curbcut on N. Mountain Avenue. The existing driveway curb cut is approximately 25-foot wide. It is proposed to be reduced in width to 12-feet. The current lot configuration has historically had only on-street parking and on-site parking that encroached into the public right-of-way for North Mountain Avenue. The proposal eliminates the non-conforming parking and provides conforming parking spaces in the garages, adequate back-up and turn-around, the parking is located to the side of the primary street frontage, is recessed behind the facades facing North Mountain Avenue, and the garages provide adequate space for two bicycle parking spaces within each garage.

**Trees and Landscaping:**

The Italian Cypress are landscape shrubbery will be removed. Additionally, the Photinia shrubs along the B Street and North Mountain Avenue frontages are within the vision clearance triangle and violate the fence height regulations. The Photinia shrubs in the front yard of the residence has the beginning stages of Phytophthora rot (the leaves are turning grey). Although these shrubs have grown to the sizes of trees, they are specifically exempted from the definition of a tree in the ALUO. There is one 15.5-inch DBH Ash tree on the site that will be removed.

The proposed landscape plan uses a variety of deciduous and evergreen trees, shrubs, and ground covers. Including plants that are appropriate to the local climate, exposure, and water availability. The presence of utilities and drainage conditions was also considered in the planning of the landscaping.

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On the following pages, findings of fact addressing the criteria from the Ashland Municipal Code are provided on the following pages. For clarity, the criteria are in Calibri font and the applicant's responses are in Times New Roman font.

**CRITERIA from the Ashland Land Use Ordinance**

**Site Development Design Standards Approval Criteria:  
Ashland Municipal Code 18.5.2.050**

**A. Underlying Zone.** The proposal complies with all of the applicable provisions of the underlying zone (part 18.2), including but not limited to: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards.

*The subject property is zoned R-3, High Density Multiple Family Residential. The parcel is 6,865 square feet and complies minimum lot area and minimum lot dimensions in the R-3 zone.*

*The proposal is to "reconstruct" the second unit that will be demolished. The existing residence will be added onto and the units will be joined by two, two-vehicle garages. Above the garage area of the residences are the closets for the bedrooms that will be attached at a fire wall that continues up from the garages.*

*The majority of the existing residence's (Unit #1) façade along B Street will be completely retained. The front porch will be reconstructed in the same location and dimensions as the existing, the treatment and materials will be altered during reconstruction. New siding, windows, doors will be added to the residence. At the rear of the existing residence, the footprint is proposed to be enlarged and connected to the proposed attached garage. A second floor above is proposed.*

*The proposed dwelling and the modifications to the front residence are traditional materials and styling. There are varying roof forms and heights to break up the mass of the structure. There are numerous windows and doors to allow for ample natural light into the units.*

*The solar setback standards are met with the development because B Street is the northern property line for the purposes of determining the solar setback. B Street has a 60-foot wide right-of-way. The second story addition will not cast a shadow beyond the width of the right-of-way.*

**Density:** *The proposed density complies with the allowed density standards found in AMC 18.2.5.080.*  
**Allowed Density 18.2.5.080:** *6,865 square feet = lots greater than 6,500 square feet are allowed two units*  
**Proposed Density:** *two units*

**Lot Coverage:** *Proposed impervious areas including building footprints, patios, pathways, driveways, decks are 4,128 square feet. The maximum coverage is the zone is 75 percent the proposed lot coverage of 60 percent, is less than the maximum of 75 percent in the zone.*

**Parking:** *Four parking spaces are required for the development of the property. Two, two vehicle garages accessed from the reduced width driveway from Mountain Avenue are proposed.*

*Four bicycle parking spaces are required. The bicycle parking spaces are provided for within the garages along the rear wall.*

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**Energy Usage:** *All of the units within the proposed development will be constructed to the most current standards of the State of Oregon Building Standards for residential construction. The units will be high performance, using the best practices and innovative construction technologies to gain efficiencies in design, energy systems, and materials for increased energy efficiency, superior indoor air quality, lower water usage and responsible use of natural resources.*

**B. Overlay Zones.** The proposal complies with applicable overlay zone requirements (part 18.3).

*There are no applicable overlay zones for the subject property.*

**C. Site Development and Design Standards.**

*The proposed site development complies with the applicable Site Development and Design Standards of part 18.4, except as provided by subsection E, below.*

*The proposed parking is within the residential dwellings. The layout and design does not provide for vulnerable areas that are not visible from the units and open space. The trash / recycle areas are directly adjacent to each unit and will be screened in accordance with the screening standards. The cans will not be visible from the public right-of-way. Low level landscape lighting for the paths will be provided throughout the open space.*

*Each unit will have a shrouded yard light that provides down-lighting and security for the unit but will not directly illuminate adjacent properties. Fences that comply with the fence ordinance are shown along the property lines, a fence permit will be obtained prior to construction of the fence. No plant materials are proposed that prevent surveillance of the open space or the semi-private patios and balconies.*

*More than eight percent of the site is available as open spaces for the use of the residents. There is 301 square feet of deck, patio and porch provided for Unit #1 and 218 square feet of deck and porch area provided for Unit #2. The 519 square feet of porches, patios, and decks account for only a portion of the 548 square foot required 8 percent open space. This does not include the private yard areas adjacent to the structures, including those areas, there is nearly 1,190 square feet of open space provided on the site.*

**Building Orientation.**

Building Orientation to Street. Dwelling units shall have their primary orientation toward a street. Where residential buildings are located within 20 feet of a street, they shall have a primary entrance opening toward the street and connected to the right-of-way via an approved walkway.

*Unit #1 has its primary orientation towards B Street, this orientation will not be affected by the construction of Unit #2. Proposed Unit #2 is oriented towards N. Mountain Avenue. A recessed front entry, a covered front porch and a less than 30-inch above grade deck will extend beyond the covered front porch to provide an enhanced sense of entry.*

*A walk way is proposed to connect each residence to the public right-of-way.*

Limitation on Parking between Primary Entrance and Street. Automobile circulation or off-street parking is not allowed between the building and the street. Parking areas shall be located behind buildings, or on one or both sides.

*No parking is proposed between the building and the street. The garages are recessed behind the street facing façade on North Mountain Avenue.*

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**Build-to Line.** Where a new building is proposed in a zone that requires a build-to line or maximum front setback yard, except as otherwise required for clear vision at intersections, the building shall comply with the build-to line standard.

*The existing front building is setback from the front property line the approximately 18-feet, 8-inches. This setback is not proposed to be altered.*

**Garages. Alleys and Shared Drives.** Where a lot abuts a rear or side alley, or a shared driveway, including flag drives, the garage or carport opening(s) for that dwelling shall orient to the alley or shared drive, as applicable, and not a street.

*Vehicular access to the site is via the existing driveway curb cut. The existing non-conforming curb cut will be reduced in width from 36-feet to 12-feet. The curb cut is 90-feet from the property corners at the intersection of B Street and North Mountain Avenue. North Mountain Avenue is an Avenue and curb cuts are required to be 50-feet from the intersection.*

*Curb cuts on Avenues require 75-feet of separation between driveway curb cuts. The proposal will increase the separation from 20-feet to 42-feet, closer to the standards.*

*The alley at the rear of the property was vacated in the 1980s. There are no shared driveways on the property.*

**Setback for Garage Opening Facing Street.** The minimum setback for a garage (or carport) opening facing a street is 20 feet. This provision does not apply to alleys.

*The garages are setback from North Mountain Avenue more than 22-feet to provide adequate back-up and turn around area on the site.*

**Building Materials.** Building materials and paint colors should be compatible with the surrounding area. Very bright primary or neon-type paint colors, which attract attention to the building or use, are unacceptable.

*The building materials are compatible with the surrounding area. The materials are typical building materials such as hardi-plank siding with wood shingle elements in the eaves. Fiberglass windows and composite shingles. The exact paint colors have not been selected but they will not be bright primary or neon colors.*

**Streetscape.** One street tree chosen from the street tree list shall be placed for each 30 feet of frontage for that portion of the development fronting the street pursuant to subsection 18.4.4.030.E.

*Two, small stature street trees are proposed on B Street. The tree on B Street will be lower in stature due to the presence of the overhead powerline. Five street trees are proposed for the N. Mountain Avenue frontage. The North Mountain Avenue trees will be larger stature. The street trees will be 1.5 inch caliper, eight feet tall and planted in accordance with AMC 18.4.4.030. No trees will be planted within 25-feet of the intersection and no street trees will be planted within 10-feet of the driveway.*

**Landscaping and Recycle/Refuse Disposal Areas.** Landscaping and recycle/refuse disposal areas shall be provided pursuant to chapter 18.4.4.

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*Area for a trash and recycle container is proposed adjacent to each unit. The trash can area will be screened to prevent view of the cans from the public street.*

#### **18.4.4.030 Landscaping and Screening**

*The final landscaping plan and the irrigation plan that will be submitted with the building permits complies with the Irrigation and Water Conserving Landscaping requirements of the City of Ashland. The conceptual landscaping plan submitted with the application has been designed so that plant coverage of 90 percent within five years of planting is met. Two-inches of mulch will be provided in all non-turf areas after planting. Turf areas are limited in order to comply with the Water Conserving Landscaping requirements. The proposed landscaping has been designed for crime prevention and defensible space to allow for natural surveillance. While providing screening of the residences from the busy streets.*

*Though not shown on the conceptual landscape plan, the property owner is amiable to installing a five-foot decomposed granite path within the public right-of-way to provide a somewhat level, even terrain, walkable material in place of the current varied topography.*

*All landscaping shall be maintained in good condition and replaced by the property owner.*

#### **Tree Preservation, Protection, and Removal**

**18.4.5.030 Tree Protection:** *The trees along the west property line on the adjacent neighbor's property are protected by a six-foot tall, solid panel fence. No additional tree protection is proposed.*

#### **18.5.7 Tree Removal:**

##### **B. Tree Removal Permit.**

a. The tree is proposed for removal in order to permit the application to be consistent with other applicable Land Use Ordinance requirements and standards, including but not limited to applicable Site Development and Design Standards in part 18.4 and Physical and Environmental Constraints in part 18.3.10.

*There is one 15.5-inch DBH Ash tree on the property that is proposed for removal. There are other shrubs that have grown to tree sizes, but they are not subject to the tree ordinance.*

b. Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks.

*The removal of the trees will not have impacts on erosion, soil stability, flow of surface waters, and protection of adjacent trees or existing windbreaks. The property to the east that would be the most impacted has a row of poplar trees of their own on their side of the fence.*

c. Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property. The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone.

*There are a significant number of deciduous and conifer trees within 200-feet of the property. The removal of the Ash tree will not have a negative impact on the densities, sizes, canopies or species diversity. Ash trees are typically not a desirable tree to have in close proximity to structures due to their propensity for limb failure.*

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d. Nothing in this section shall require that the residential density to be reduced below the permitted density allowed by the zone. In making this determination, the City may consider alternative site plans or placement of structures of alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with the other provisions of this ordinance.

*The proposal complies with residential densities. There are two units on the property and there will continue to be two units on the property. The removal of the tree facilitates the construction of Unit #2.*

e. The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.

*A replacement tree will be planted and maintained per the specifications of the Recommended Street Tree Guide.*

**D. City Facilities.** The proposal complies with the applicable standards in section 18.4.6 Public Facilities, and that adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the property, and adequate transportation can and will be provided to the subject property.

*Adequate city facilities exist to service the new units.*

**Water:** *There is an existing six-inch water main in B Street. There is also a six-inch main in North Mountain Avenue. There are existing water meters adjacent to North Mountain. These will be retained. There is a fire hydrant at the intersection of the two streets.*

**Sanitary Sewer:** *There is a ten-inch sanitary sewer line in the B Street and a twelve-inch line on North Mountain Avenue. In discussion with the Wastewater Department Supervisor, there are no capacity issues with the public sanitary sewer lines. The structures currently share a four-inch line. Unit #1 will retain this line and Unit#2 will have its own connection to North Mountain Avenue.*

**Electrical:** *Unit #2 is serviced by an overhead power line and pole on North Mountain Avenue. This pole will be removed. The new service for Unit #2 will come from the overhead pole on B Street. Unit #1 already gets overhead power from this pole. The new services will be undergrounded from the pole to the units and into a two-pack meter located on the west side of Unit #1.*

**Storm Sewer:** *There is a 10-inch Storm sewer main in B Street and a ten-inch main in North Mountain Avenue. In consultation with the Street Division, there are no capacity issues with the city's facilities.*

*B Street is an Avenue. It is paved with curb, gutter and bike lane along the frontage of the property which provides paved access to the development. North Mountain Avenue is also an Avenue and is paved with curb, gutter and bike lane along the frontage of the property.*

**E. Exception to the Site Development and Design Standards.** The approval authority may approve exceptions to the Site Development and Design Standards of part 18.4 if the circumstances in either subsection 1 or 2, below, are found to exist.

*No exceptions to the Site Development and Design Standards are proposed.*

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### Multiple-Family Rental Unit Conversion to For-Purchase Units

#### 18.2.3.200

C. Conversion of existing multiple-family dwelling rental units into for-purchase units, including the demolition of existing multiple-family dwelling rental units, is subject to the following.

1. Existing multiple-family dwelling structures may be converted from rental units to for-purchase housing, where all or only a portion of the structure is converted, as set forth in Table 18.2.3.200.C.1, provided the existing structure meets the following regulations of the applicable zone: permitted density, yard requirements, maximum height, maximum lot coverage, outdoor recreation space, maximum permitted floor area, waste enclosures, parking, and bike storage.

Table 18.2.3.200.C.1: Conversion of Multiple-Family Rental Units to For-Purchase Units

Number of Dwelling Units on Tax Lot	Market Rate Ownership	Affordable Ownership (per Sec. 18.2.5.050)	Market Rate Rentals	Affordable Rentals (per Sec. 18.2.5.050)
2-4	100%	0%	0%	0%
5-12	75%	0%	25%	0%
13-24	50%	0%	50%	0%
25-48	25%	0%	75%	0%
49+	0%	0%	100%	0%

No affordable housing units are proposed because the primary residence (Unit #1) and the proposed, new Unit #2, will comply with the R-3 zoning provisions for permitted density, and the zoning code regulations regarding yard requirements, maximum height, maximum lot coverage, outdoor recreation space, maximum permitted floor area, waste enclosures, parking, and bike storage.

### Public Facilities

#### 18.4.6.020

B. **Exceptions and Variances.** Requests to depart from the requirements of this chapter are subject to chapter 18.5.5 Variances, except that deviations from section 18.4.6.040 Street Design Standards are subject to 18.4.6.020.B.1 Exceptions to the Street Design Standards, below.

1. Exception to the Street Design Standards. The approval authority may approve exceptions to the standards section in 18.4.6.040 Street Design Standards if all of the following circumstances are found to exist.

a. There is demonstrable difficulty in meeting the specific requirements of this chapter due to a unique or unusual aspect of the site or proposed use of the site.

**18.4.6.040.B. Applicability.** The following standards apply to all street improvements, including new streets, alleys and pathways, and the extension or widening of existing streets. The street connectivity and design standards are part of the Ashland Land Use Ordinance and are approval standards that will be used in land use decisions and for street construction projects.

No new streets, alleys, pathways or extension of or widening of existing street are proposed. The site is occupied by two, residential units. One is being removed in order to construct a larger, energy efficient unit that complies with setbacks, lot coverages, density, parking, landscaping and screening standards. The majority of the façade of Unit #1 is being retained so it is not subject to review.

A reduced width curb cut is proposed to bring the site closer to conformance with the driveway spacing standards but sidewalks and park row do not currently exist. The re-construction of Unit #2 is not considered an intensification of use of the site and requiring sidewalk and park row improvements would be disproportionate to the site redevelopment. The existing driveway is approximately 20-feet from the driveway to the south. The standards call for

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*The location of the public infrastructure at the intersection of the two streets, particularly the fire hydrant, would require relocation at a high cost to the property owner. Installing street improvements that comply with the standards for sidewalk and park row width including curb return at the intersection are cost prohibitive when considering an intensification of the site is not proposed.*

b. The exception will result in equal or superior transportation facilities and connectivity considering the following factors where applicable.

*No changes to the connectivity of the existing transportation facilities are proposed. There are public sidewalks on the north side of B Street, and the east side of North Mountain Avenue.*

- i. For transit facilities and related improvements, access, wait time, and ride experience.  
*Not applicable*
- ii. For bicycle facilities, feeling of safety, quality of experience (i.e., comfort level of bicycling along the roadway), and frequency of conflicts with vehicle cross traffic.  
*There is an existing six-foot wide bicycle lane along the North Mountain Street frontage of the property.*
- iii. For pedestrian facilities, feeling of safety, quality of experience (i.e., comfort level of walking along roadway), and ability to safety and efficiency crossing roadway.  
*Though sidewalk installation is not proposed at this time, when sidewalks are installed, the increased separation between the driveway to the subject property and the property to the south will improve the pedestrian environment.*

c. The exception is the minimum necessary to alleviate the difficulty.

*When considering that an intensification in the use of the site is not proposed, the exception is the minimum necessary to alleviate the financial and proportional implications of street improvements.*

*The spacing between the two curb cuts which is currently well below the standards, will not fully comply but will improve with the separation, going from approximately 20-feet to 42-feet of separation.*

d. The exception is consistent with the Purpose and Intent of the Street Standards in subsection 18.4.6.040.A.

*The purpose and intent contains standards for street connectivity and design as well as cross sections for street improvements including installation of new streets and improvements to existing streets. No modifications to the existing street are proposed and the property owner finds that the re-construction of Unit #2 creates no special quantifiable burdens to require sidewalk installation.*

*The increased width between the driveways is consistent with the purposed and Intent of the Street Standards.*

**Conclusion:**

The applicant finds that all of the applicable City of Ashland requirements have been met or can be met through the imposition of conditions of approval.

**Attachments:**

- 1) SURVEY
- 2) SITE PLAN AND ELEVATIONS
- 3) LANDSCAPE AND IRRIGATION PLANS
- 4) UTILITY EMAILS

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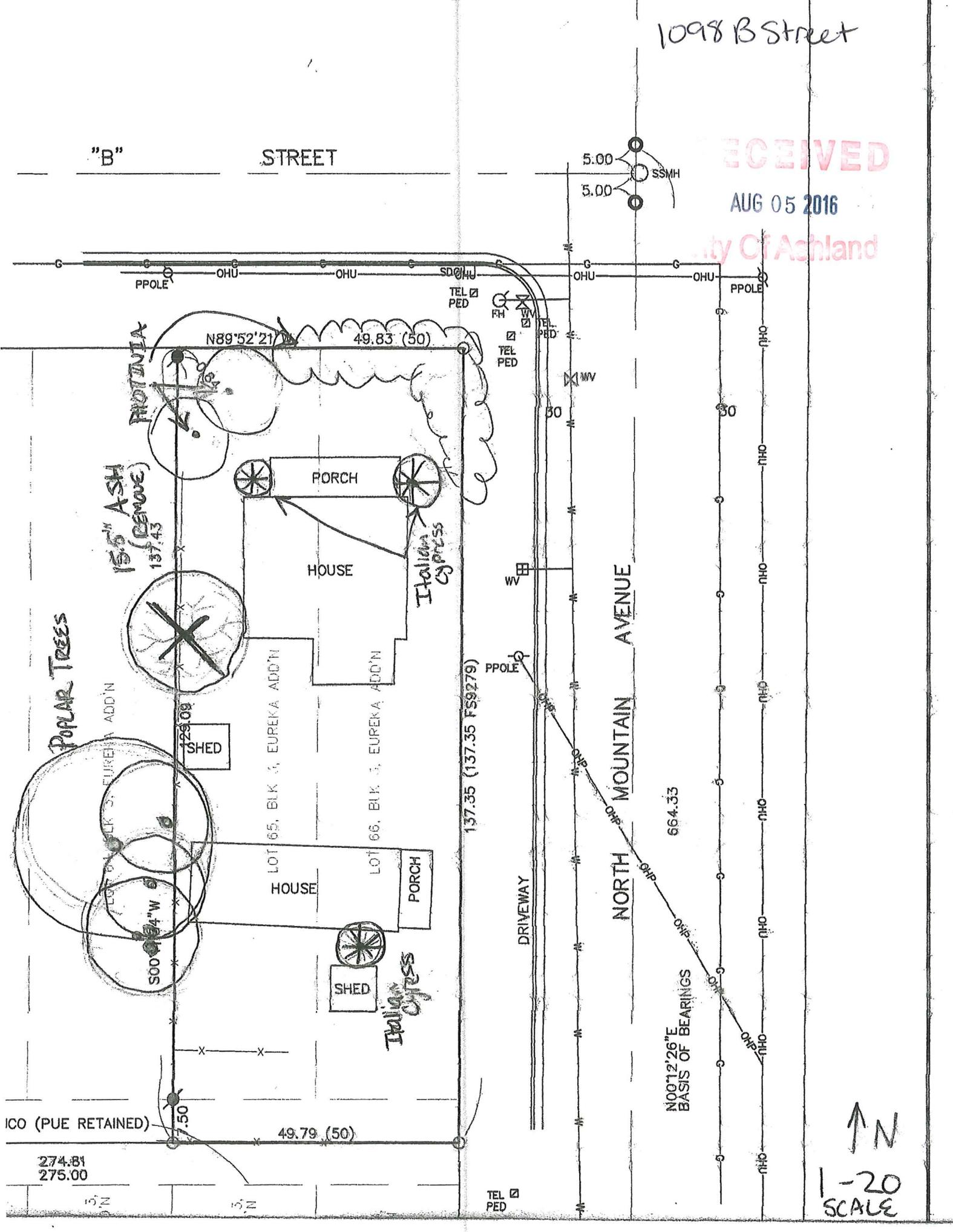
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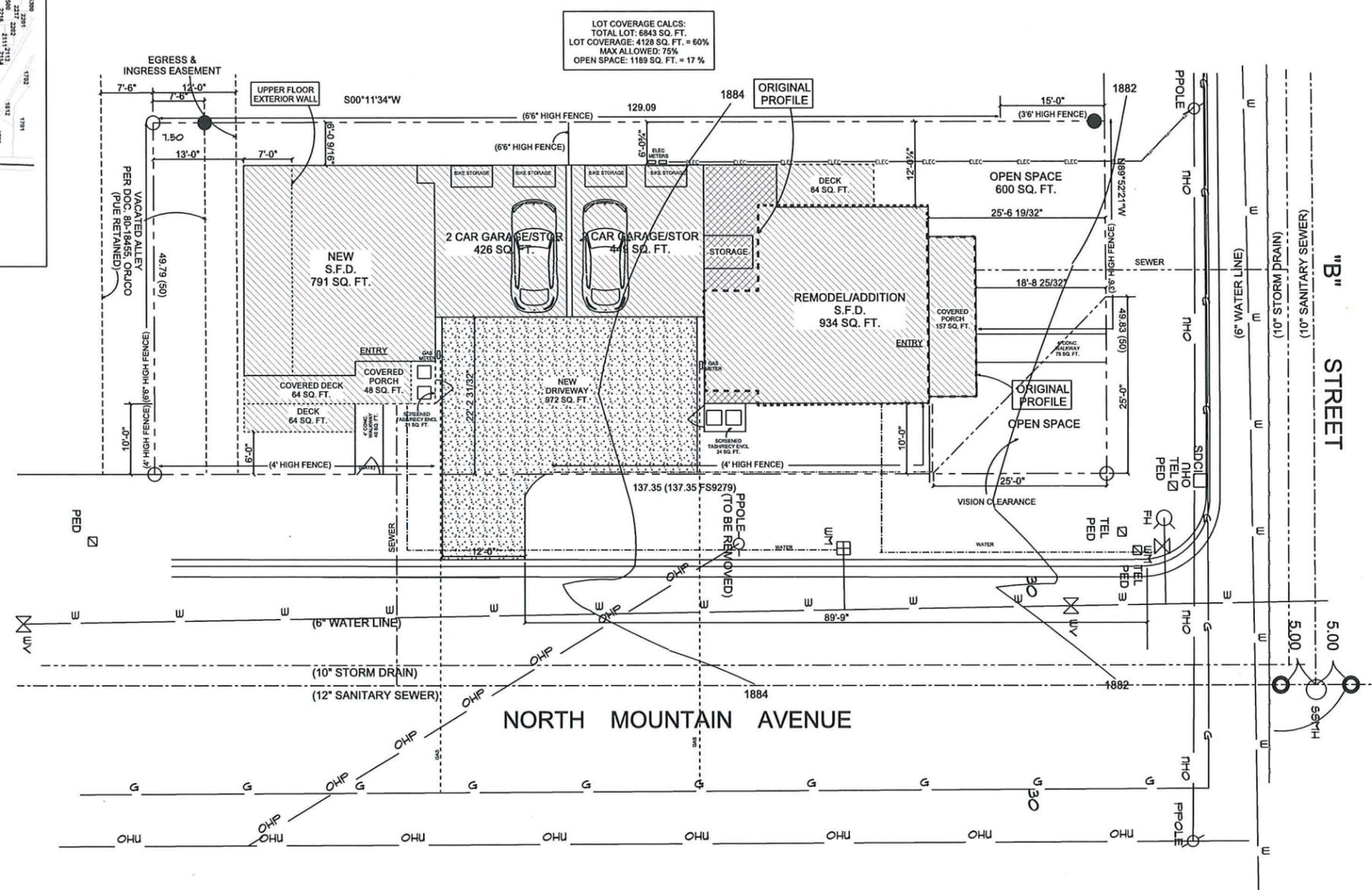
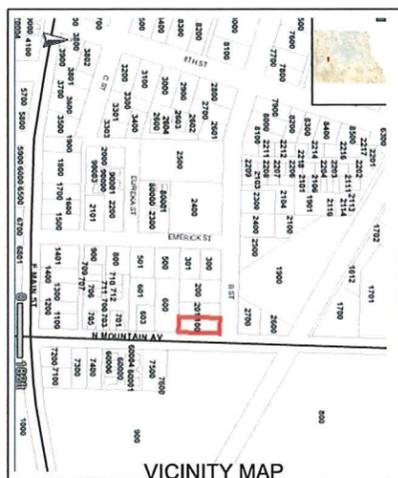
City Of Ashland

"B" STREET



1-20  
SCALE





LOT COVERAGE CALCS:  
 TOTAL LOT: 6843 SQ. FT.  
 LOT COVERAGE: 4128 SQ. FT. = 60%  
 MAX ALLOWED: 75%  
 OPEN SPACE: 1189 SQ. FT. = 17%

**SITE PLAN**  
 SCALE: 1" = 20'-0"



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DWG INDEX #:  
 A0.1 SITE PLAN 11 X 17  
 SHEET 1  
 OF 5

SCALE: 1" = 20'-0"  
 DRAWN BY:  
 CHECKED BY: JT  
 DATE: 7/26/2016

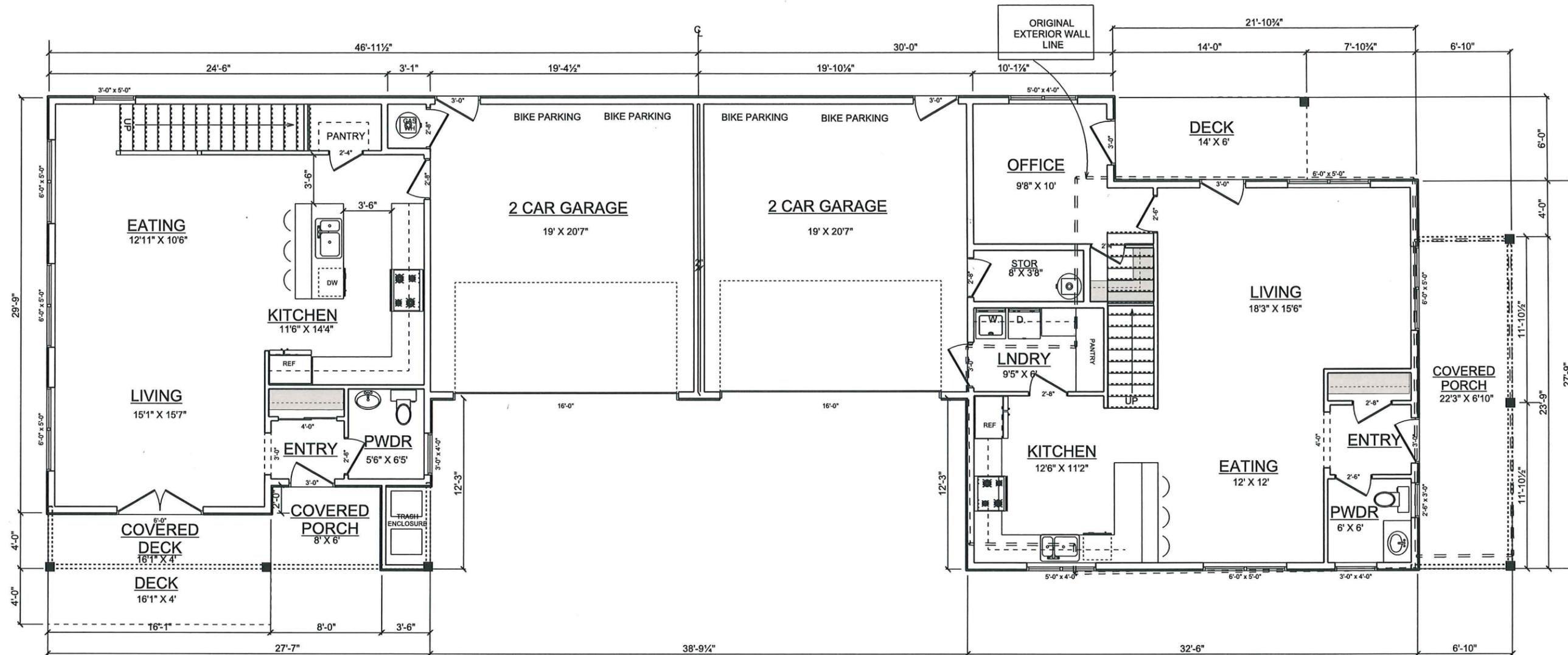
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P.O. BOX 8062  
 MEDFORD, OR 97501  
 541-608-3956



PROJECT OWNER:  
 RNN PROPERTIES, LLC  
 2640 E. BARNETT RD. E-43  
 MEDFORD, OR 97504

PROJECT: S.F.D @  
 N. Mt & B St.  
 Ashland, OR 97520



N. MT.  
 MAIN FLOOR  
 787 SQ. FT.-LIVING  
 441 SQ. FT.-GARAGE/STOR

B ST.  
 MAIN FLOOR  
 934 SQ. FT.-LIVING  
 449 SQ. FT.-GARAGE/STOR  
 RETAINING 67% OF ORIGINAL  
 EXTERIOR WALL SURFACES  
 AND ENTIRE FRONT FACADE

**FP MAIN**  
 SCALE: 1/8" = 1'-0"

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DWG INDEX #:  
 A1.0 FLR PLN-MAIN 11 X 17  
 SHEET 2  
 OF 5

SCALE: 1/8" = 1'-0"  
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 CHECKED BY: JT  
 DATE: 7/26/2016

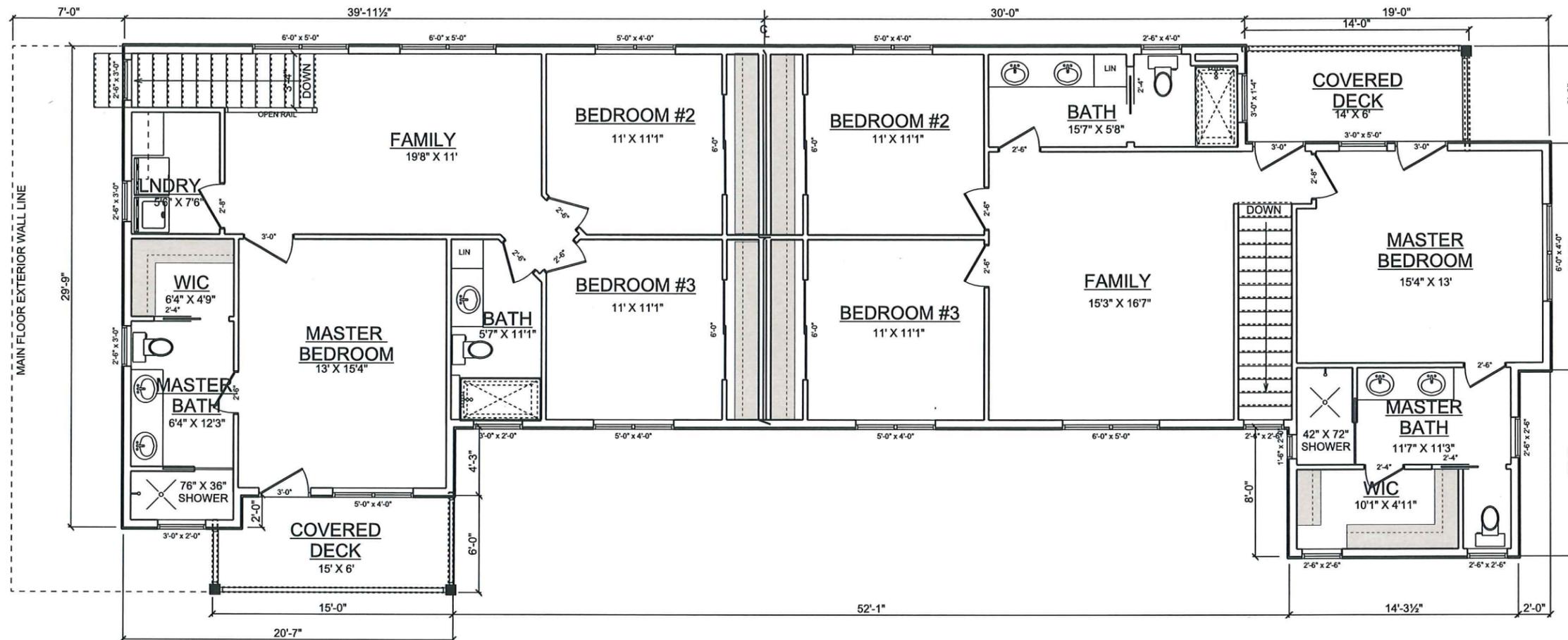
**A1.0 FLR PLN-MAIN 11 X 17**  
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P.O. BOX 8062  
 MEDFORD, OR 97501  
 541-608-3956  
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 ARCHITECTS & INTERIORS

PROJECT OWNER:  
 RNN PROPERTIES, LLC  
 2640 E. BARNETT RD. E-43  
 MEDFORD, OR 97504

PROJECT: S.F.D @  
 N. Mt & B St.  
 Ashland, OR 97520



N. MT.  
UPPER FLOOR  
998 SQ. FT.-LIVING

B ST.  
UPPER FLOOR  
1129 SQ. FT.-LIVING

**FP UP**  
SCALE: 1/8" = 1'-0"

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DWG INDEX #:  
A1.1 FLR PLN-UPPER 11 X 17  
SHEET 3  
OF 5

SCALE: 1/8" = 1'-0"  
DRAWN BY:  
CHECKED BY: JT  
DATE: 7/26/2016

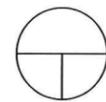
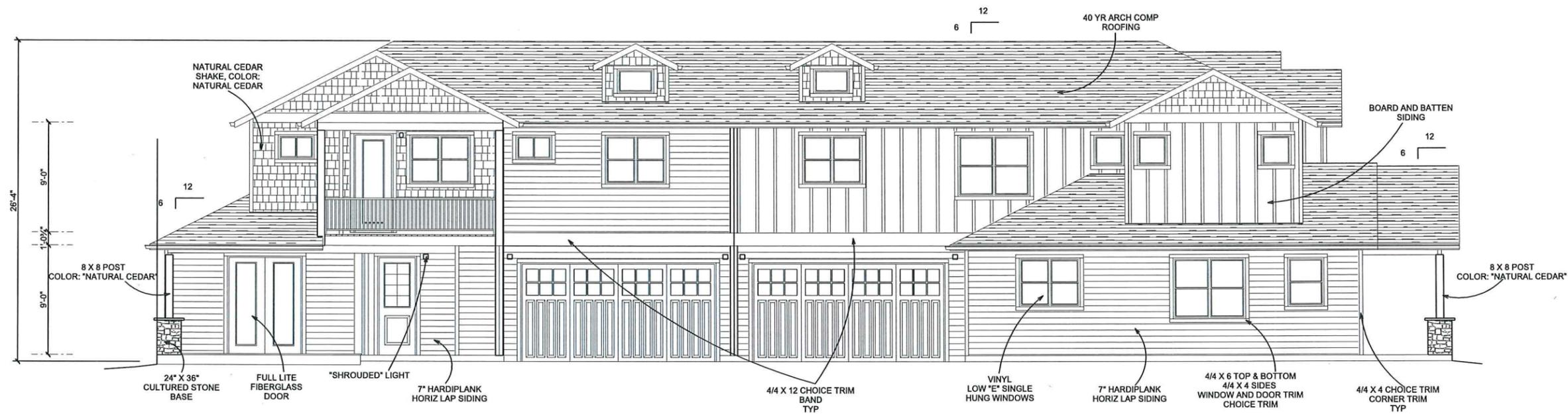
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FILE: @PATH

P.O. BOX 8062  
MEDFORD, OR 97501  
541-608-3956

**design residential**  
ARCHITECTS & INTERIORS  
SCOTT VAN  
www.designresidential.biz

PROJECT OWNER:  
RNN PROPERTIES, LLC  
2640 E. BARNETT RD. E-43  
MEDFORD, OR 97504

PROJECT: S.F.D @  
N. Mt & B St.  
Ashland, OR 97520



**EAST ELEVATION**  
SCALE: 1" = 10'



**SOUTH ELEVATION**  
SCALE: 1" = 10'-0"

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DWG INDEX #:  
A2.0 EXT ELEVATIONS 11 X 17  
SHEET 4  
OF 5

SCALE: 1" = 10'-0"  
DRAWN BY:  
CHECKED BY: JT  
DATE: 7/26/2016

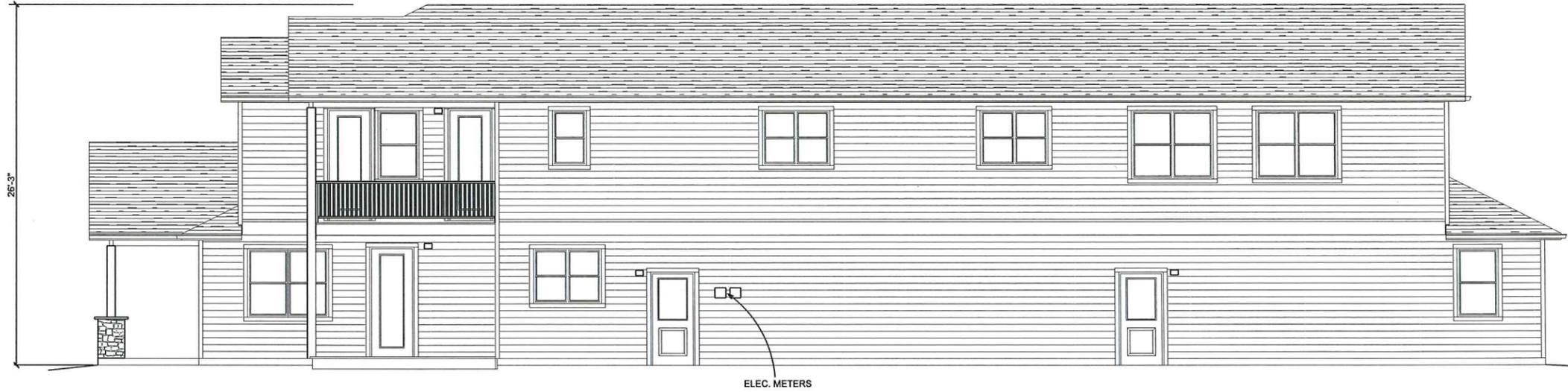
A2.0 EXT ELEVATIONS 11 X 17  
FILE: @PATH

P.O. BOX 8062  
MEDFORD, OR 97501  
541-608-3956  
www.designresidential.biz

design residential  
A QUALITY OF LIFE DESIGN

PROJECT OWNER:  
RNN PROPERTIES, LLC  
2640 E. BARNETT RD. E-43  
MEDFORD, OR 97504

PROJECT: S.F.D @  
N Mt & B St  
Ashland, OR 97520



**WEST ELEVATION**  
SCALE: 1" = 10'-0"



**NORTH ELEVATION**  
SCALE: 1" = 10'-0"

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PROJECT: S.F.D @  
N. Mt & B St.  
Ashland, OR 97520

PROJECT OWNER:  
RNN PROPERTIES, LLC  
2640 E. BARNETT RD. E-43  
MEDFORD, OR 97504

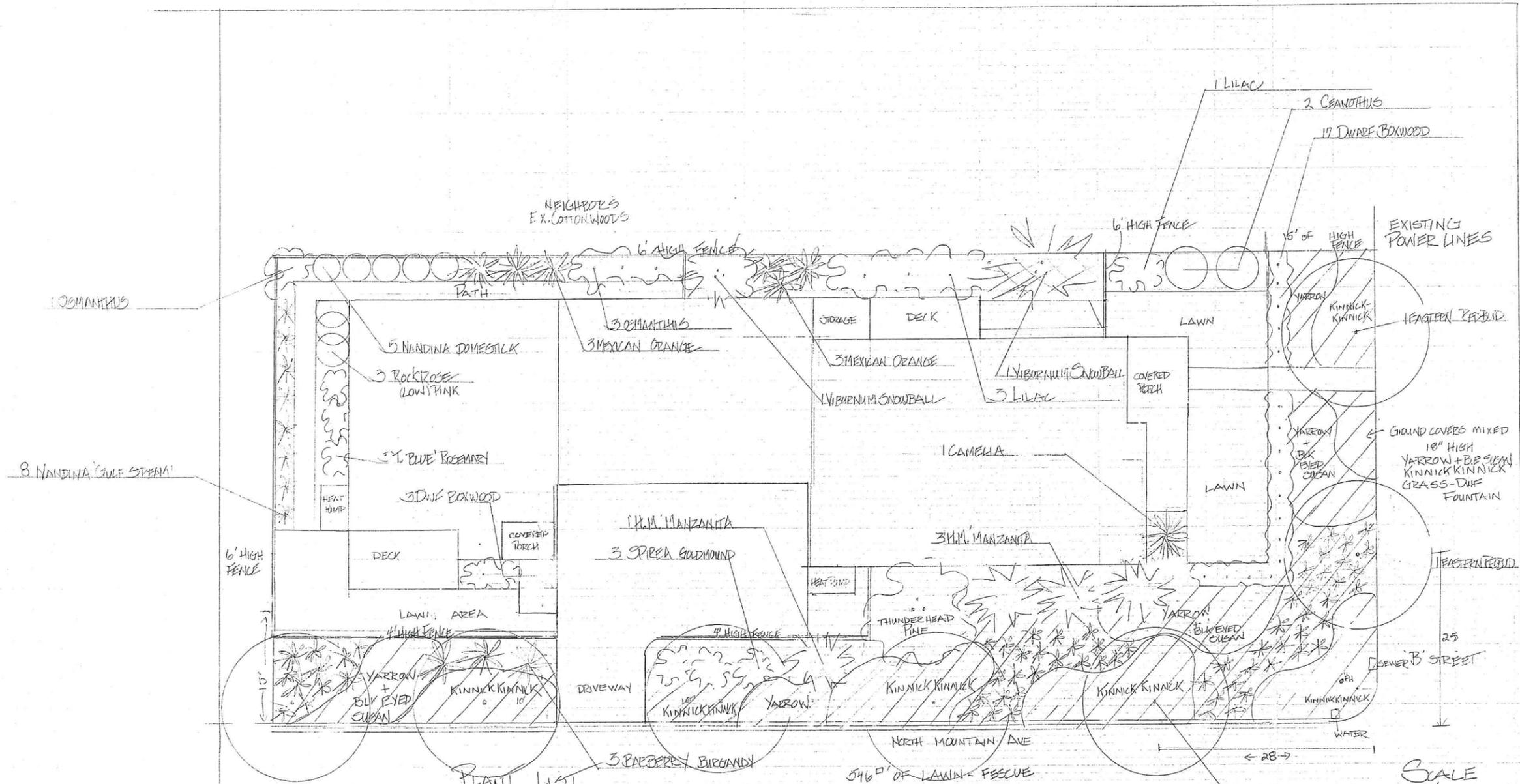
**design residential**  
ARCHITECTURE & INTERIOR DESIGN  
SCOTT VAN  
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P.O. BOX 8062  
MEDFORD, OR 97501  
541-608-3956

**A2.1 EXT ELEVATIONS 11 X 17**  
FILE: @PATH

SCALE: 1" = 10'-0"  
DRAWN BY:  
CHECKED BY: JT  
DATE: 7/26/2016

DWG INDEX #:  
A2.1 EXT ELEVATIONS 11 X 17  
SHEET 5  
OF 5

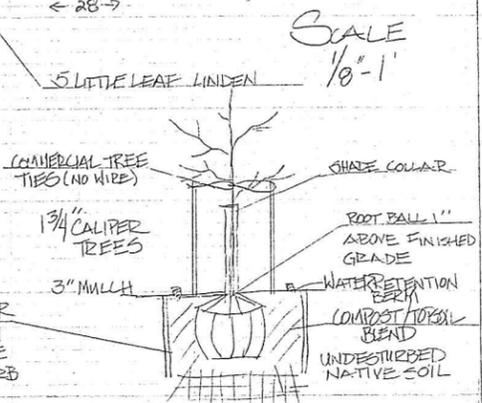


PLANT LIST

#	BOTANICAL	COMMON	QTY
3	FARBERIA BURGANDI	BURGANDI FARBERIA	36
3	SPREA J. GOLDMOUND	SPREA 'GOLD MOUND'	36
3	ARCOSTAPHYLOS HOWARD McMINN	HOWARD McMINN MANZANITA	36
1	PNUS T THUNDERHEAD	THUNDERHEAD PINE	66
1	CAMELIA JAPONICA	CAMELIA	36
20	BUXUS H. JAP. GREEN BEAUTY	BOXWOOD DWEE GREEN BEAUTY	16
2	CEANOTHUS BLUE JEANS	CEANOTHUS 'BLUE JEANS'	16
4	SYRINGA VULGARIS	LILAC	36
2	VI BURNUM OPOLUS	SNOWBALL VI BURNUM	36
6	CHOISYA ILEX NATA	MEXICAN ORANGE	16
3	OSMANTHUS	OSMANTHUS	16
5	NANDINA DOMESTICA	NANDINA DOMESTICA	16
8	NANDINA GULF STREAM	NANDINA 'GULF STREAM'	16

3	ROSMARINUS 'TUSCAN BLUE'	TUSCAN BLUE ROSEMARY	16
2	CLYTUS STAMFERG II	ROCK ROSE	16
10	ARCTOSTAPHYLOS MASS	MASS KINICK KINICK	16
65	PENNISETUM ALOPEUROIDES	DWEE FOUNTAIN GRASS	16
30	ACHILLEA MILLEFOLIUM	YARROW	16
50	RUDEBECKIA	FLAKEY EYED SUSAN	16
2	CERUS CANADENSIS	EASTERN RED BUD	16
5	TILIA CORDATA	LITTLE LEAF LINDEN	16

STREET TREES PLANTED WITH ROOT BARRIER + STAKED  
 34" DEEP - 6' LENGTH CENTERED ON TREE 12" BACK FROM CURB

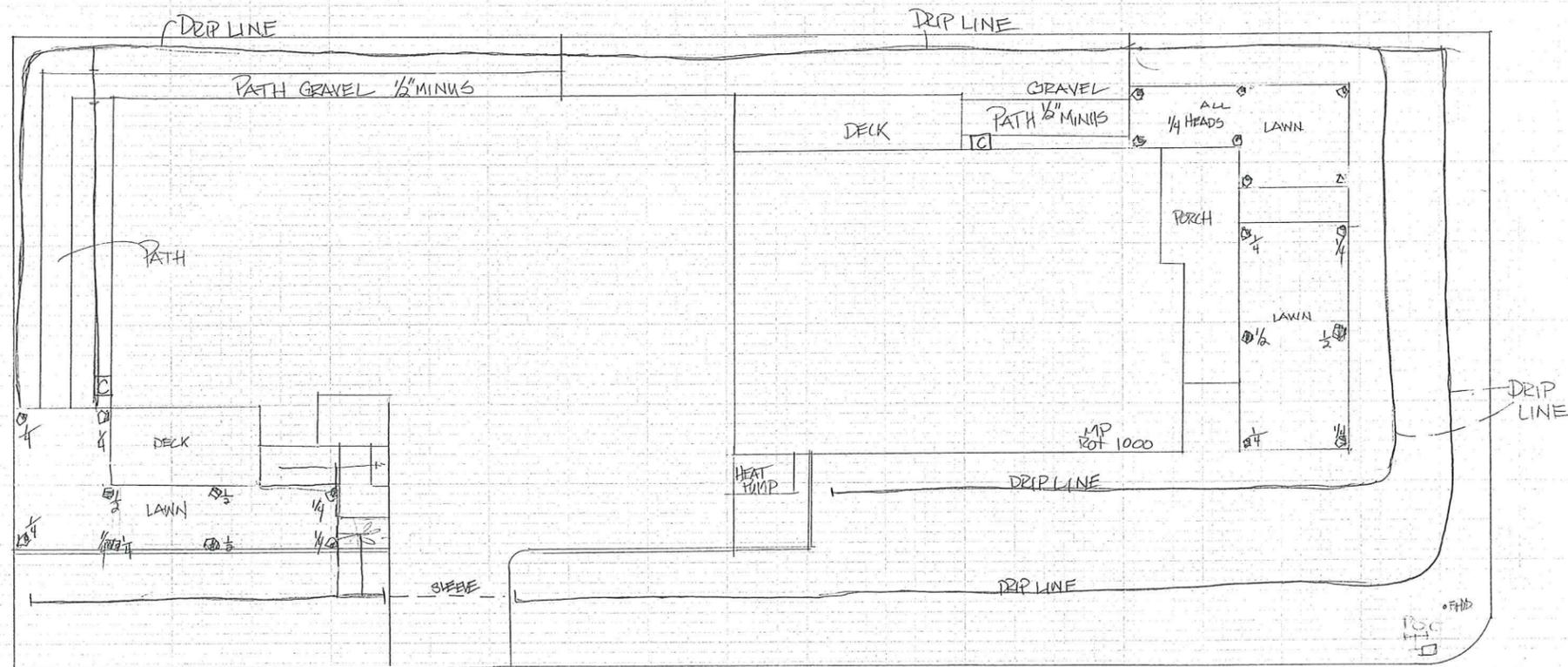


SCALE 1/8" = 1'

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IRRIGATION SYSTEM SHALL BE AUTOMATIC AND HAVE A TOP LOADING  
 DOUBLE CHECK VALVE INSTALLED AT THE POINT OF CONNECTION.  
 THE SYSTEM WILL PROVIDE IRRIGATION TO 100% OF THE LANDSCAPED AREA.

THERE WILL BE TWO TIMERS HUNTER PC-400  
 LIGHT COMMERCIAL + RESIDENTIAL CONTROLLER, 4 STATION BASE  
 MODULE CONTROLL, 120 VAC OUTDOOR MODEL



IRRIGATION PLAN

THERE IS NO SLOPE  
 EXCEEDING 10%  
 ALL SHRUB/TREE AREAS  
 TO BE MULCH WITH DARK  
 FINE MULTI BARK 3" THICK

ALL TREES -  
 3 1 GALLON  
 EMITTERS  
 1/2 DRIPL HOSE

SHRUB/TREE AREAS  
 DRIPL SYSTEM  
 2 EMITTERS PER PLANT  
 ALL 1 GALLON PLANTS  
 2 - 1/2 GALLON HEADS  
 ALL 3 GALLON PLANTS  
 2 - 2 GALLON HEADS

IN LAWN AREA:  
 SCHEDULE 40 PIPE 3/4"  
 MP ROTATOR HEADS 1000s  
 546 sq' OF TALL FESCUE  
 00D  
 POINT OF CONNECTIO  
 PCL  
 I

LANDSCAPE CONTACT:  
 JANE HARDERONE  
 JUAN MERAZ  
 (BEARCLAW LANDSCAPE  
 541-944-5891  
 541-301-0803

SCALE 1/8" = 1'  
 → NORTH

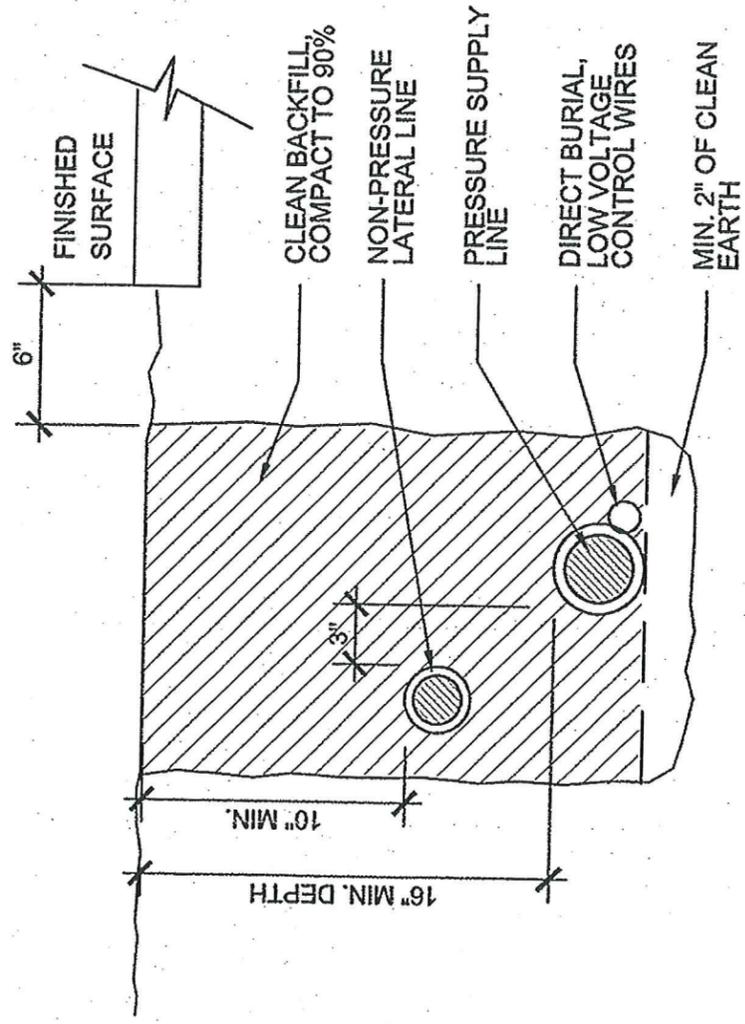
PROJECT S.E.P. © N.M.T + B.S.T  
 ASHLAND, OREGON

SHEET 2  
 1

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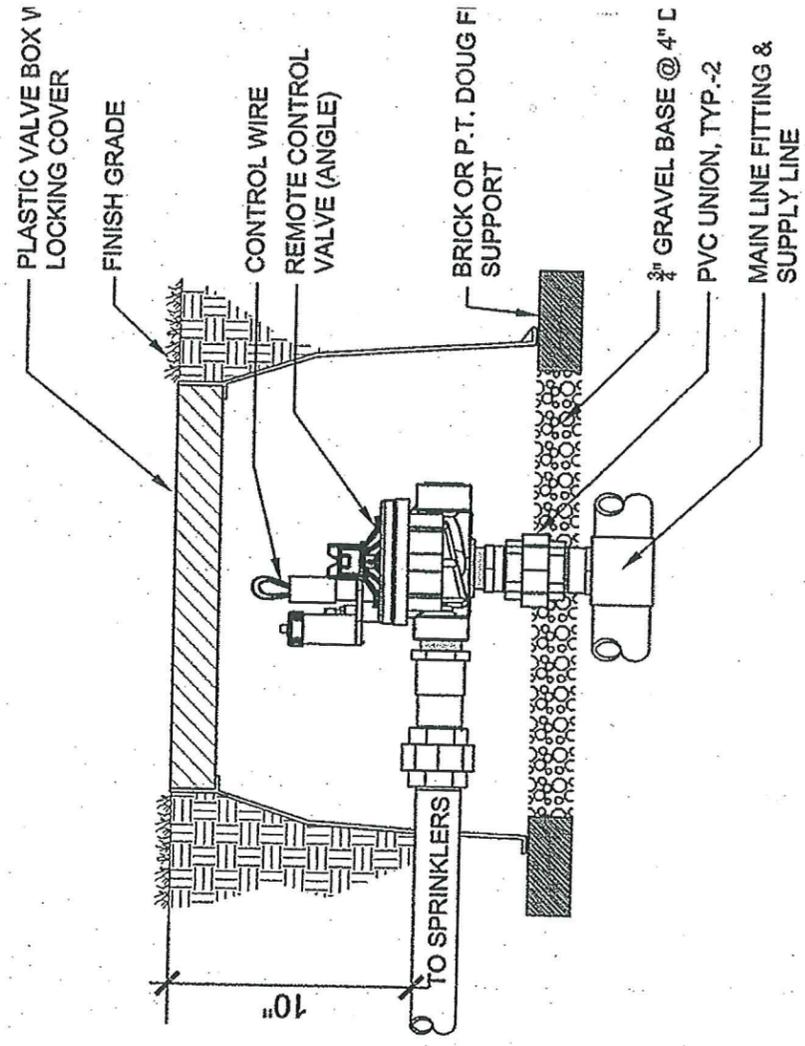
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**1 SECTION - IRRIGATION LINE TRENCH**

Scale: N.T.S.

- NOTES:
1. INSTALL MAXIMUM (2) VALVES PER BOX. (STD. VALVE BOX)
  2. PLACE CHRISTY'S I.D. TAG WITH STATION NUMBER ON VALVES.
  3. SET VALVE BOXES PARALLEL TO EACH OTHER & PERPENDICULAR TO HARDSCAPE EDGES.



**3 SECTION - REMOTE CONTROL VALVE - ANGLE INSTALLATION**

Scale: N.T.S.

X-VAL

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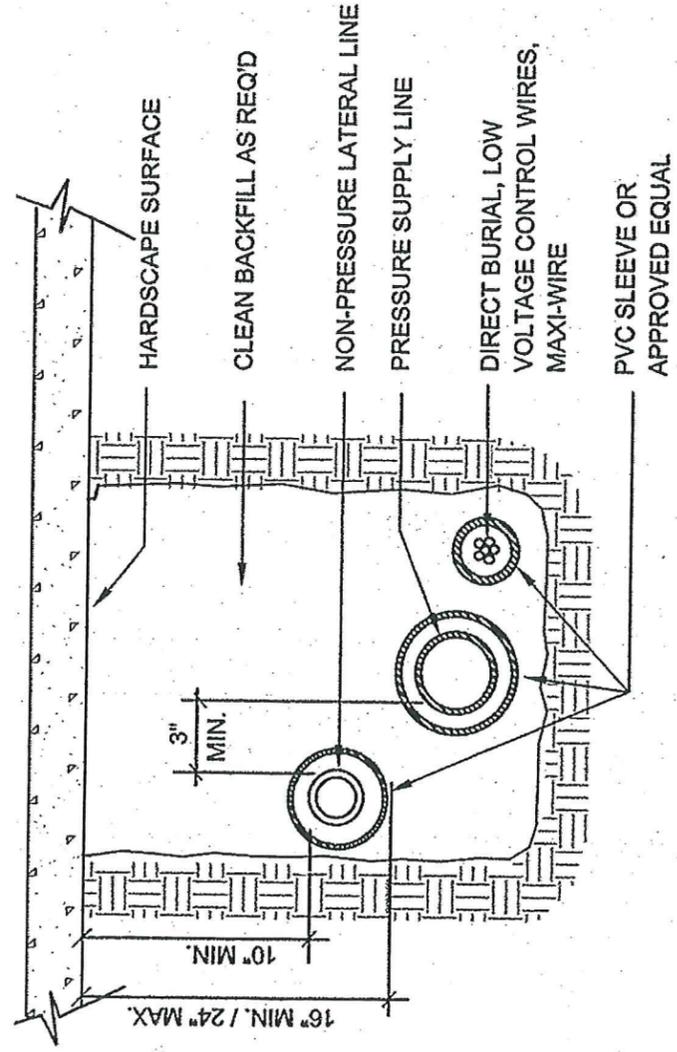
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**NOTES**

1. COORDINATE INSTALLATION OF PIPING AND WIRES UNDER VEHICULAR PAVEMENT AREAS WITH OTHER TRADES
2. ALL SLEEVES TO BE 4" SCH 40 PVC Z E
3. ALL SLEEVES TO BE RUN 12" MIN. PAST HARDSCAPE

**2 SECTION - SLEEVING @ PAVING**

Scale: N.T.S.

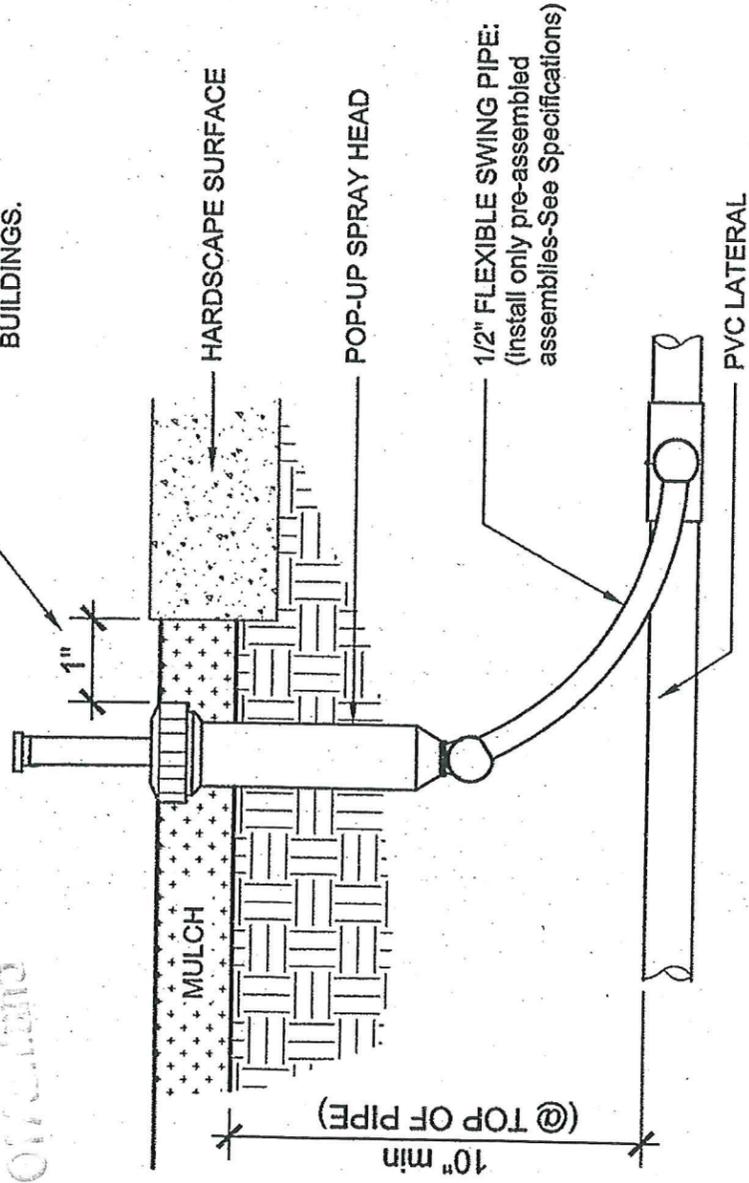
x-sleeve.dwg

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**NOTE:**  
ALL SPRAY HEADS TO BE KEPT A MIN. OF 1" OFF ALL HARDSCAPE EDGES AND 36" FROM FACE OF ALL BUILDINGS.



**4 SECTION - POP-UP SPRAY HEAD**

Scale: N.T.S.

x-sprkir-1.dwg

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## IRRIGATION NOTES:

1. THE INFORMATION PROVIDED BELOW IS FOR THE IN-FIELD CONVENIENCE OF THE CONTRACTOR. REFERENCE THE IRRIGATION SPECIFICATIONS FOR ALL ASPECTS OF IRRIGATION MATERIAL AND INSTALLATION PROCEDURES.
2. VERIFY PROPOSED IRRIGATION POINT OF CONNECTION (ZONE 'A') NEAR THE SURVEYED EXISTING IRRIGATION EQUIPMENT. NOTIFY THE OWNER'S REPRESENTATIVE IF THE IN FIELD CONDITIONS WILL NOT PERMIT CONNECTION AT THE LOCATION SHOWN ON THE PLAN.
3. THE IRRIGATION CONTRACTOR SHALL INVENTORY AND DOCUMENT LOCATIONS OF ALL EXISTING IRRIGATION HEADS AND VALVES IN THE VICINITY OF THE PROPOSED PARKING LOT.
4. UPON COMPLETION OF THE PARKING LOT CURBS, THE IRRIGATION CONTRACTOR SHALL MAKE ADJUSTMENTS TO THE EXISTING IRRIGATION SYSTEM SUCH THAT THE SYSTEM WILL PROVIDE COMPLETE COVERAGE TO THE REMAINING LANDSCAPE AREAS. IT WILL BE THE IRRIGATION CONTRACTOR'S DUTY TO REPAIR ANY EQUIPMENT THAT IS NEEDED FOR THE EXISTING IRRIGATION SYSTEM TO PERFORM PROPERLY.
5. TRENCHING: 10" MIN. COVER OVER LATERAL LINES. BACKFILL MATERIAL SHALL BE FREE OF ROCKS, AND SHARP OBJECTS AND MANUALLY COMPACTED. NO MACHINE TRENCHING WITHIN DRIPLINE OF EXISTING TREES. MANUAL TRENCHING WILL BE PERMITTED RADIALLY FROM THE BASE OF THE TREE.
6. SET ALL SPRINKLER HEADS PLUMB WITH TOP OF HEAD EVEN WITH FINISH GRADE, ALLOWING FOR MULCH. FLUSH LINES BEFORE INSTALLING NOZZLES.
7. ALL PIPING, PVC ELEC. SLEEVES, ETC, UNDER PAVING SHALL BE INSTALLED PRIOR TO PAVING WORK. NO TEES, ELLS OR OTHER TURNS IN PIPING SHALL BE LOCATED UNDER PAVING. CAP ALL ENDS HAND TIGHT, PRIOR TO BACKFILL.
8. ALL IRRIGATION SLEEVES SHALL BE MIN. 4" SCH. 40, OR 3034 SEWER PIPE AS PER IRRIGATION PLAN. CLEARLY MARK SLEEVES USING A WOOD STAKE MARKED WITH PAINT SHOWING EXACT LOCATION. ALL SLEEVES SHALL EXTEND 12" BEYOND PAVEMENT EDGE.
10. INSTALL THE PROPOSED IRRIGATION VALVE NEAR THE LOCATION INDICATED ON THE PLAN. VERIFY A PROPER WATER SOURCE IS AVAILABLE AT THE LOCATION INDICATED. INSTALL VALVE BOX SO THAT THE LID IS FLUSH WITH FINISH GRADE AND ALIGNED WITH THE ADJACENT VALVE BOXES.
11. UPON COMPLETION OF THE WORK, THE LANDSCAPE CONTRACTOR SHALL PROVIDE THE OWNER WITH AN IRRIGATION RECORD DRAWING THAT INDICATES THE EXISTING IRRIGATION THAT HAS BEEN FIELD ADJUSTED TO THE NEW CONSTRUCTION AND THE INSTALLED NEW IRRIGATION.

## IRRIGATION HEAD LEGEND

SYMBOL	DESCRIPTION	MODEL	NOZZLE	RAD. PSI	FLOW RATE (GPM)
	1/4, 1/2, FULL	Hunter PROS-06-PRS30	MP-Rotator 1000 (*)	8'	0.11, 0.21, 0.44
	1/4, 1/2, FULL	Hunter PROS-06-PRS30	MP-Rotator 1000 (*)	10'	0.19, 0.37, 0.75
	END, CENTER	Hunter PROS-06-PRS30	MP-Rotator Strip	Strip	0.22, 0.44

(\*) ALL HEADS IN THE VEGETATED SWALE SHALL HAVE FACTORY INSTALLED DRAIN CHECK VALVES.

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**NOTICE OF APPLICATION**

**PLANNING ACTION:** PA-2016-01490

**SUBJECT PROPERTY:** 2020 Crestview

**OWNER/APPLICANT:** Potocki

**DESCRIPTION:** A request for Site Design Review approval to allow the construction of a 494 square foot Accessory Residential Unit (ARU) in the southeast corner of 2020 Crestview. The proposal includes a request to remove one 21" DBH Fir tree. **COMPREHENSIVE PLAN DESIGNATION:** Single-family Residential; **ZONING:** R-1-7.5; **ASSESSOR'S MAP:** 39 1E 15 DD; **TAX LOT:** 210.

**NOTE:** The Ashland Tree Commission will also review this Planning Action on **Thursday, September 8, 2016 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

**NOTICE OF COMPLETE APPLICATION:** August 25, 2016

**DEADLINE FOR SUBMISSION OF WRITTEN COMMENTS:** September 8, 2016



The Ashland Planning Division Staff has received a complete application for the property noted above.

Any affected property owner or resident has a right to submit written comments to the City of Ashland Planning Division, 51 Winburn Way, Ashland, Oregon 97520 prior to 4:30 p.m. on the deadline date shown above.

Ashland Planning Division Staff determine if a Land Use application is complete within 30 days of submittal. Upon determination of completeness, a notice is sent to surrounding properties within 200 feet of the property submitting application which allows for a 14 day comment period. After the comment period and not more than 45 days from the application being deemed complete, the Planning Division Staff shall make a final decision on the application. A notice of decision is mailed to the same properties within 5 days of decision. An appeal to the Planning Commission of the Planning Division Staff's decision must be made in writing to the Ashland Planning Division within 12 days from the date of the mailing of final decision. (AMC 18.108.040)

The ordinance criteria applicable to this application are attached to this notice. Oregon law states that failure to raise an objection concerning this application, by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes your right of appeal to the Land Use Board of Appeals (LUBA) on that issue. Failure to specify which ordinance criterion the objection is based on also precludes your right of appeal to LUBA on that criterion. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow this Department to respond to the issue precludes an action for damages in circuit court.

A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost, if requested. All materials are available at the Ashland Planning Division, Community Development & Engineering Services Building, 51 Winburn Way, Ashland, Oregon 97520.

If you have questions or comments concerning this request, please feel free to contact the Ashland Planning Division at 541-488-5305.

## SITE DESIGN AND USE STANDARDS

### 18.5.2.050

The following criteria shall be used to approve or deny an application:

- A. Underlying Zone: The proposal complies with all of the applicable provisions of the underlying zone (part 18.2), including but not limited to: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other applicable standards.
- B. Overlay Zones: The proposal complies with applicable overlay zone requirements (part 18.3).
- C. Site Development and Design Standards: The proposal complies with the applicable Site Development and Design Standards of part 18.4, except as provided by subsection E, below.
- D. City Facilities: The proposal complies with the applicable standards in section 18.4.6 Public Facilities and that adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the property and adequate transportation can and will be provided to the subject property.
- E. Exception to the Site Development and Design Standards. The approval authority may approve exceptions to the Site Development and Design Standards of part 18.4 if the circumstances in either subsection 1 or 2, below, are found to exist.
  1. There is a demonstrable difficulty meeting the specific requirements of the Site Development and Design Standards due to a unique or unusual aspect of an existing structure or the proposed use of a site; and approval of the exception will not substantially negatively impact adjacent properties; and approval of the exception is consistent with the stated purpose of the Site Development and Design; and the exception requested is the minimum which would alleviate the difficulty.; or
  2. There is no demonstrable difficulty in meeting the specific requirements, but granting the exception will result in a design that equally or better achieves the stated purpose of the Site Development and Design Standards.

**PROJECT DESCRIPTION FOR A  
SITE REVIEW FOR AN ACCESSORY RESIDENTIAL UNIT  
FOR THE PROPERTY LOCATED AT  
2020 CRESTVIEW DRIVE, ASHLAND, OREGON**

**OWNER:**

Stan Potocki  
2020 Crestview Drive  
Ashland, OR 97520

**SITE PLANNING**

**& BUILDING DESIGN:**

Lindemann Design  
550 Nevada Street  
Ashland, Or 97520

**SURVEYOR:**

Jason Martin  
To The Point Land Surveying LLC  
PO Box 217  
Gold Hill, OR 97525

**BUILDER:**

TBD

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**City Of Ashland**

**SITE ADDRESS & LEGAL DESCRIPTION:**

2020 Crestview Drive 391e15dd 210

**COMPREHENSIVE PLAN DESIGNATION:**

Single Family Residential

**ZONING DESIGNATION:**

R-1-7.5 Residential

**ADJACENT USE:**

WEST: T.I.D. Canal  
EAST: Crestview Drive (@ point of termination w/ private drive)  
and a large undeveloped area on the east side of the street  
SOUTH: Single Family Residence (Unincorporated County)  
NORTH: Single Family Residence  
SUBJECT SITE: Single Family Residence

**PLANNING ACTION:** The applicant is seeking approval for Site Review approval to construct a detached Accessory Residential Unit (ARU) on the southeast corner of the 0.44-acre lot. With the construction of the ARU, a single 21" dbh Fir Tree will be removed.

**FINDINGS OF FACT – GENERAL DESCRIPTION:**

The following information has been provided by the applicant to help the Planning Staff and neighbors understand the proposed project. In addition, the required *findings of fact* have been provided to ensure the proposed project meets the criteria for hillside development, for parking, for zoning of an ARU and for Site Design Review detailed in AMC Section 18.4.2.030.

Proposal: The applicant is requesting a Site Review approval to construct a detached, 494 square foot ARU. As explained in detail below, the subject site can readily accommodate

the proposed construction within existing setbacks, without impacting hillside land or solar access and providing the required additional parking on site. The tree removal is not required to obtain a permit because the tree is located on a single family residential parcel that is occupied by a single family residence.

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**FINDINGS OF FACT - RESPONSE TO CRITERIA:**

**Site Design Review - 18.5.2.050 Approval Criteria**

The proposed ARU complies with all of the applicable provisions of the underlying zone, including building and yard setbacks, the lot area exceeds the minimum lot area in the zone and the dimensions are pre-existing. The proposed lot coverage is less than allowed in the zone. The single story ARU is less than the maximum building height of 30-feet. The ARU is oriented toward Crestview Drive and the proposed architecture is compatible with the residences in the area.

**Accessory Residential Unit Criteria – 18.2.3.040**

- One ARU is proposed, for a total of two dwellings on the lot, as allowed.
- The ARU is not subject to the density or minimum lot area requirements of the zone.
- The gross habitable floor area (GHFA) of the proposed ARU (494 square feet) is 20.5% of the GHFA of the primary residence (2,410 square feet), thus it is well below the threshold of 50 percent and is less than 1,000 square feet.
- The proposed ARU conforms to the overall maximum lot coverage and setback requirements of the underlying zone (see Site Plan exhibit).

**Parking - 18.4.3.040**

The proposed 494 s.f. ARU requires an additional parking space. The existing residence has garage parking for two vehicles. An additional, paved on-site parking space (min. 9'x18") already exists beyond (to the side of) the garage, which space does not encroach on the vehicular back up area. A foot path provides access to the proposed accessory structure.

**Bicycle Parking - 18.4.3.070.I & J**

The primary residence provides bicycle parking (min. 2) in the garage. The ARU bicycle parking will be provided via a weather-protected parking space for one bike under the roof overhang at the northwest corner of the ARU, within 25 feet of the entrance, as shown on the Site Plan. The owner shall choose and install an appropriate paver surface underfoot and shall choose and install a wall-mounted bike security bar.

The property is within the Hillside Overlay Zone. Below are findings addressing the Hillside Standards as described in the Pre-Application Conference document.

**Development in Hillside Lands - 18.3.10.020.A.1**

The ARU is proposed to be constructed on a relatively flat area above and behind (west of) a short section of steep slope (>25% but <35%) that exists within the 15' front setback area. It is not anticipated that the structure will encroach onto the slopes of more than 25%. Any areas of more than 25% that may be altered with its 494 square foot footprint would keep any earth-moving activity well below the threshold for invoking a

Physical & Environmental Constraints Review Permit (i.e., for disruption greater than 20 cubic yards or 1,000 square feet).

As proposed, the applicant finds that the proposal complies with the Site Design Standards for the zone.

**Multi-Family Site Design Review - 18.4.2.030**

Building Orientation to the Street: The proposed ARU faces the street; its façade is parallel to the street. The entry (front door) is visible from the street (Crestview Drive). Note that Crestview Drive terminates at the subject lot. The southerly continuation of pavement is a private drive. Pedestrian access to the ARU is from two directions: a short run of stairs (or graded path) just below the patio and a foot path from the north, parallel with the street. The parking for the ARU is located to the side of the existing residence and no parking will be located between the proposed ARU and the street.

Building Materials: The proposed ARU's exterior character is a simple, modest single story structure with a low-pitch roof, with exterior materials that blend with the primary residence and with the natural surroundings. The exterior cladding will consist of either clear-sealed, exterior-rated, horizontal wood, such as tight-knot cedar, or paint-grade siding in a natural color. The roofing will be medium or medium-dark gray composition shingles. Windows will be common vinyl frames (in white, almond or putty). The entry/patio door will be paint-grade wood or fiberglass frame.

Landscaping and Open Space: The subject site is extensively landscaped and irrigated (front, sides and back). The ARU is proposed for a relatively flat, empty area in the southeast corner that is not formally landscaped or irrigated (i.e., an area of natural vegetation with one tree that has hindered undergrowth), thus its construction will not disturb or reroute existing irrigation. The existing landscaping to the north of the proposed ARU, which continues all the way to the driveway curb cut, will remain intact. The remaining flat, unplanted areas around the perimeter of the ARU (south, east and north) will be preserved as open space for recreational use. The total open space for the lot is 4,500 square feet (23.5 percent of the lot area). Up to 1,500 square feet of open space will be available for the occupant of the ARU. This area will be rendered in a walkable surface (or combination of surfaces) such as crushed granite, pea gravel, drought-tolerant ground cover or pavers. 160 square feet of the tenant's open space consists of a concrete patio.

Landscape and Irrigation Plan: As noted above, the proposed development preserves the existing landscaping and irrigation and preserves existing open spaces for recreational use (remainder after construction) with a portion of that open space converted to hardscape (patio—see Site Plan).

**Tree Removal – 18.5.7.040**

There is a 21-inch DBH Fir Tree that is proposed to be removed in order to accommodate the ARU. The tree is located in the buildable area for the ARU. There are a large number of fir trees in the vicinity on the surrounding properties and the tree removal will not have an impact on tree density, sizes, species diversity or have negative impacts on other trees within 200-feet of the property. No erosion will occur due to the placement of a structure

in place of the tree. The removal of the tree will not impact any surface water flow and is not part of a windbreak.

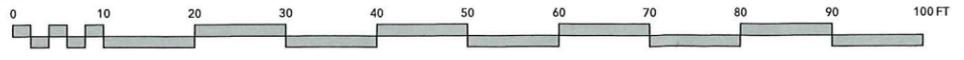
Additional Elements: The Site Plan exhibit indicates exterior lighting at the front (east) entry to the ARU. These wall-mounted fixtures will be shrouded to direct light downward. Trash and recycling will be provided adjacent the garage and parking (without encroaching on the parking or backup area).

Lastly, there are adequate capacity of City facilities for water, sewer, electricity, urban storm drainage, paved access to and throughout the property, and adequate transportation provided to the property. An electric service for the ARU will be provided. The water, sewer and storm drainage will be connected to the existing facilities within Crestview Drive and on the subject property.

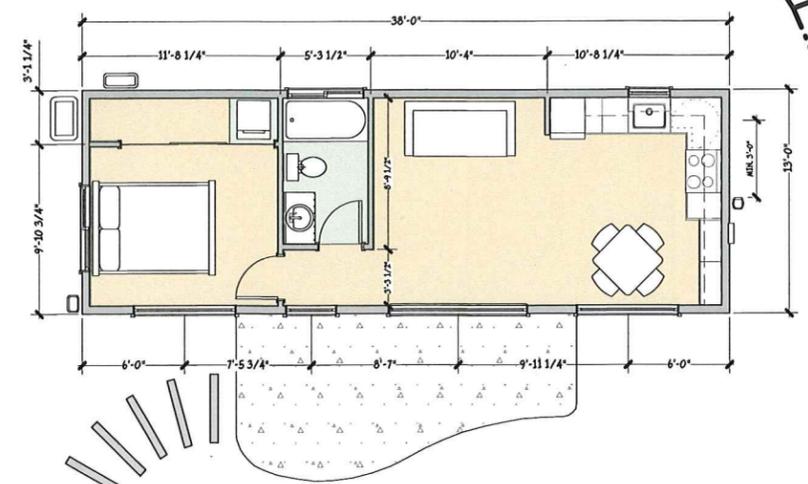
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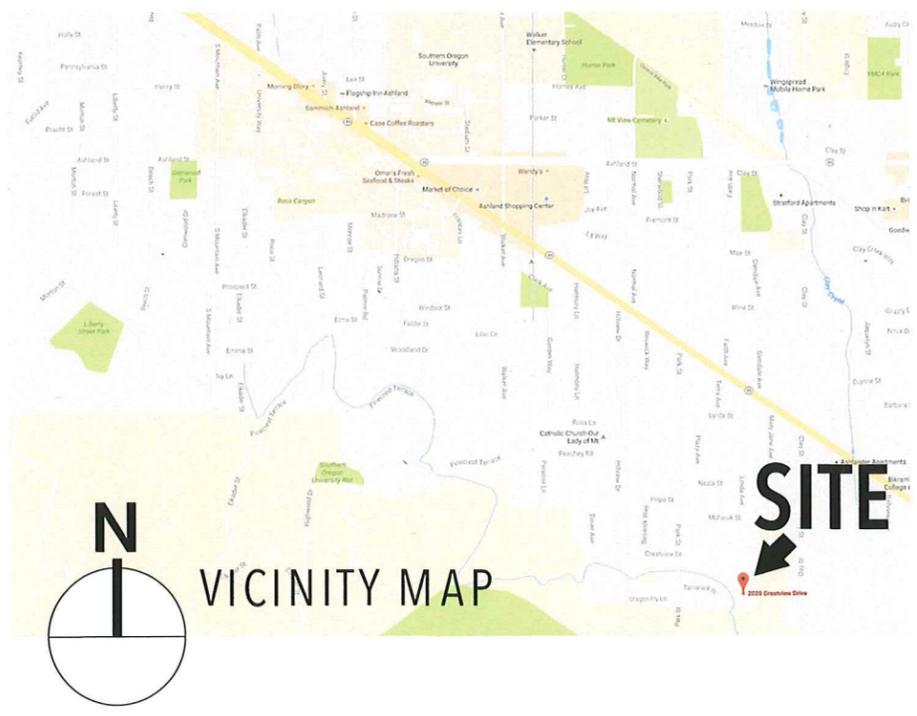
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LOT COVERAGE | Lot Area: 19,166 s.f.  
 Existing Building & Deck: 2,417 s.f.  
 Existing Driveway & Walk Path: 1,874 s.f.  
 Proposed Building (A.R.U.): 494 s.f.  
 Proposed New Hardscape: 160 s.f.  
 TOTAL COVERAGE: 4,945 s.f. (25.8%)  
 Landscape Area (Pervious): 14, 221 s.f. (74.2%)



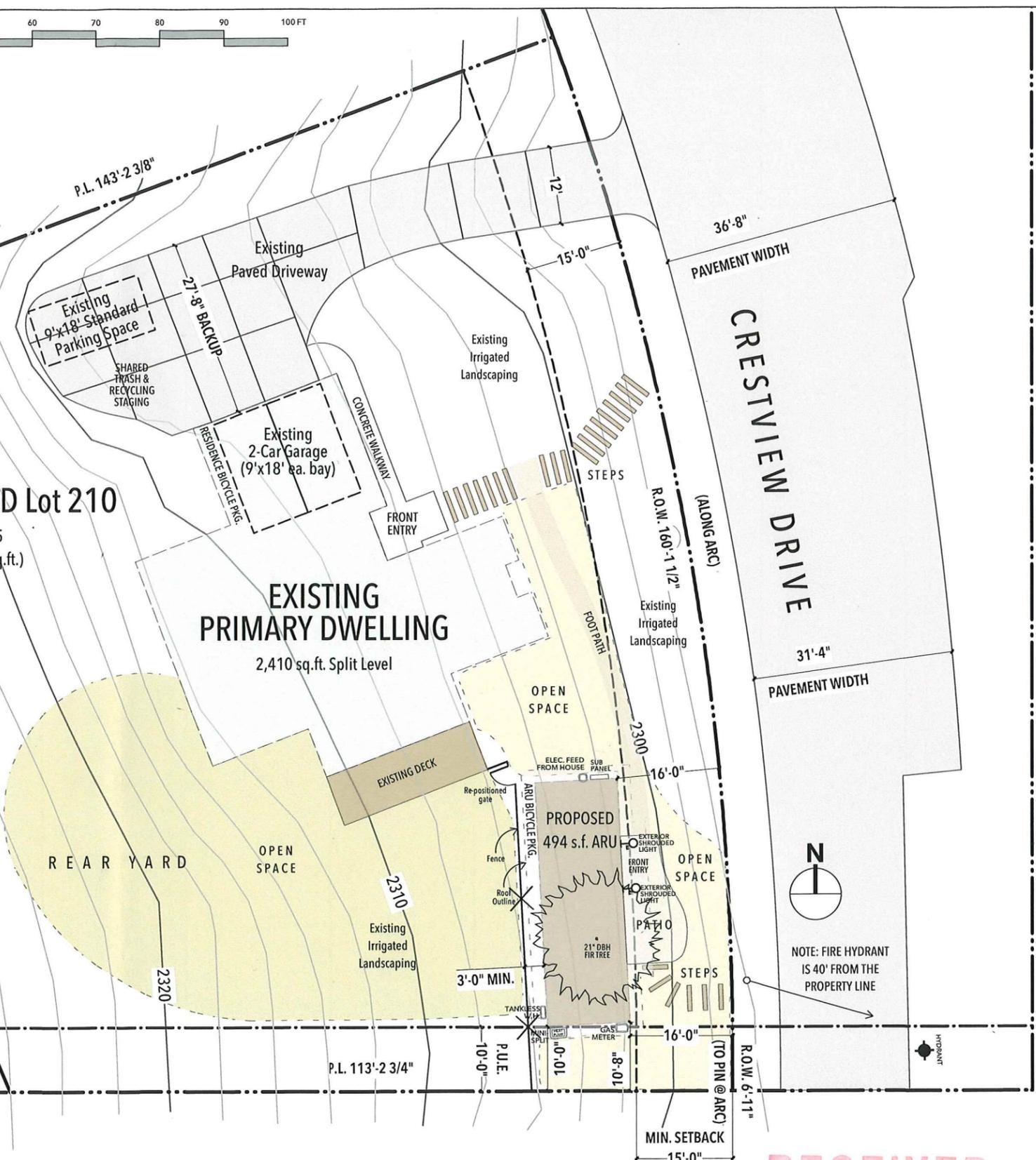
**B** A.R.U. FLOOR PLAN  
 Scale: 3/32" = 1'-0"



**SITE**

Map 39 1E 15 DD Lot 210  
 ZONING R-1-7.5  
 0.44 ac. (19,166 sq.ft.)

IRRIGATION CANAL



SOLAR SETBACK NOTE: The proposed A.R.U. location and height occur behind and below (south of) the existing solar producing point of the existing dwelling.

- = Existing Open Space for SFD (> 3,000 s.f.)
- = Open Space for ARU (1,500 s.f.)

**A** PROPOSED SITE PLAN  
 Scale: 1" = 20 ft

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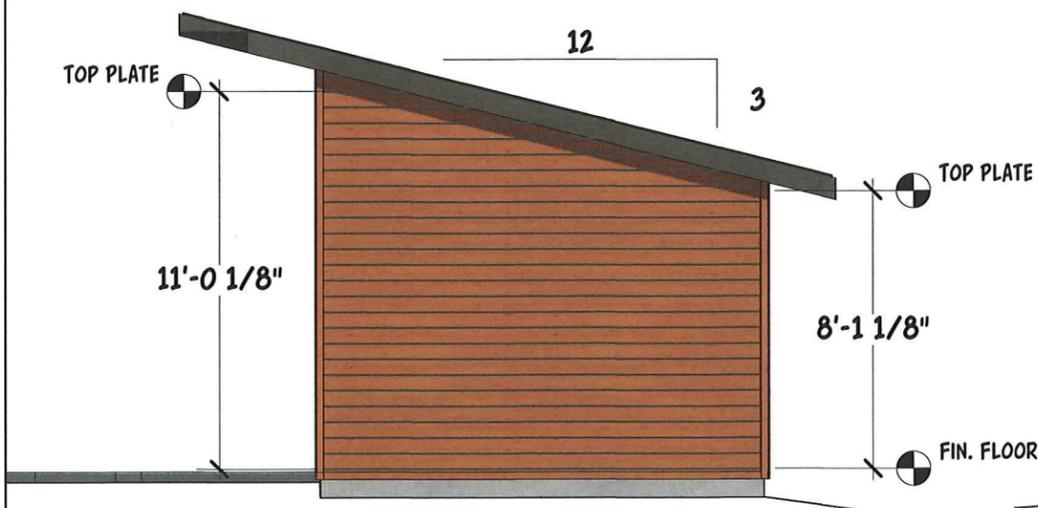
City of Ashland



**B** A.R.U. LEFT (S) ELEVATION  
Scale: 3/16" = 1'-0"



**C** A.R.U. FRONT ELEVATION  
Scale: 3/16" = 1'-0"



**D** A.R.U. RIGHT (N) ELEVATION  
Scale: 3/16" = 1'-0"



**E** A.R.U. REAR ELEVATION  
Scale: 3/16" = 1'-0"

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**NOTICE OF APPLICATION**

**PLANNING ACTION:** PA-2016-01669  
**SUBJECT PROPERTY:** 1615 Clark  
**APPLICANT:** Howard Miller  
**OWNER:** First Presbyterian Church  
**DESCRIPTION:** A request for a Tree Removal Permit to remove a potentially hazardous Ginkgo Tree from the property. The Ginkgo tree is located near the center of the property and is causing damage to utility infrastructure and sidewalks. **COMPREHENSIVE PLAN DESIGNATION:** Commercial; **ZONING:** C-1;  
**ASSESSOR'S MAP:** 39 1E 15 AB; **TAX LOT:** 400.

**NOTE:** The Ashland Tree Commission will also review this Planning Action on **Thursday, September 8, 2016 at 6:00 PM** in the Community Development and Engineering Services building (Siskiyou Room), located at 51 Winburn Way.

**NOTICE OF COMPLETE APPLICATION: September 2, 2016**  
**DEADLINE FOR SUBMISSION OF WRITTEN COMMENTS: September 16, 2016**



The Ashland Planning Division Staff has received a complete application for the property noted above.

Any affected property owner or resident has a right to submit written comments to the City of Ashland Planning Division, 51 Winburn Way, Ashland, Oregon 97520 prior to 4:30 p.m. on the deadline date shown above.

Ashland Planning Division Staff determine if a Land Use application is complete within 30 days of submittal. Upon determination of completeness, a notice is sent to surrounding properties within 200 feet of the property submitting application which allows for a 14 day comment period. After the comment period and not more than 45 days from the application being deemed complete, the Planning Division Staff shall make a final decision on the application. A notice of decision is mailed to the same properties within 5 days of decision. An appeal to the Planning Commission of the Planning Division Staff's decision must be made in writing to the Ashland Planning Division within 12 days from the date of the mailing of final decision. (AMC 18.108.040)

The ordinance criteria applicable to this application are attached to this notice. Oregon law states that failure to raise an objection concerning this application, by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes your right of appeal to the Land Use Board of Appeals (LUBA) on that issue. Failure to specify which ordinance criterion the objection is based on also precludes your right of appeal to LUBA on that criterion. Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow this Department to respond to the issue precludes an action for damages in circuit court.

A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost, if requested. All materials are available at the Ashland Planning Division, Community Development & Engineering Services Building, 51 Winburn Way, Ashland, Oregon 97520.

If you have questions or comments concerning this request, please feel free to contact the Ashland Planning Division at 541-488-5305.

## **TREE REMOVAL PERMIT**

### **18.5.7.040.B**

1. **Hazard Tree.** A Hazard Tree Removal Permit shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.
  - a. The applicant must demonstrate that the condition or location of the tree presents a clear public safety hazard (i.e., likely to fall and injure persons or property) or a foreseeable danger of property damage to an existing structure or facility, and such hazard or danger cannot reasonably be alleviated by treatment, relocation, or pruning. See definition of hazard tree in part 18.6.
  - b. The City may require the applicant to mitigate for the removal of each hazard tree pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.
2. **Tree That is Not a Hazard.** A Tree Removal Permit for a tree that is not a hazard shall be granted if the approval authority finds that the application meets all of the following criteria, or can be made to conform through the imposition of conditions.
  - a. The tree is proposed for removal in order to permit the application to be consistent with other applicable Land Use Ordinance requirements and standards, including but not limited to applicable Site Development and Design Standards in part 18.4 and Physical and Environmental Constraints in part 18.10.
  - b. Removal of the tree will not have a significant negative impact on erosion, soil stability, flow of surface waters, protection of adjacent trees, or existing windbreaks.
  - c. Removal of the tree will not have a significant negative impact on the tree densities, sizes, canopies, and species diversity within 200 feet of the subject property. The City shall grant an exception to this criterion when alternatives to the tree removal have been considered and no reasonable alternative exists to allow the property to be used as permitted in the zone.
  - d. Nothing in this section shall require that the residential density to be reduced below the permitted density allowed by the zone. In making this determination, the City may consider alternative site plans or placement of structures of alternate landscaping designs that would lessen the impact on trees, so long as the alternatives continue to comply with the other provisions of this ordinance.
  - e. The City shall require the applicant to mitigate for the removal of each tree granted approval pursuant to section 18.5.7.050. Such mitigation requirements shall be a condition of approval of the permit.

### Request for Tree Removal

The Presbyterian Church is requesting a permit to remove a ginkgo tree adjacent to the middle (Administrative) building on the church property. Enclosed please find maps and aerial photos of the location which, with the following written information, explain the need for such action.

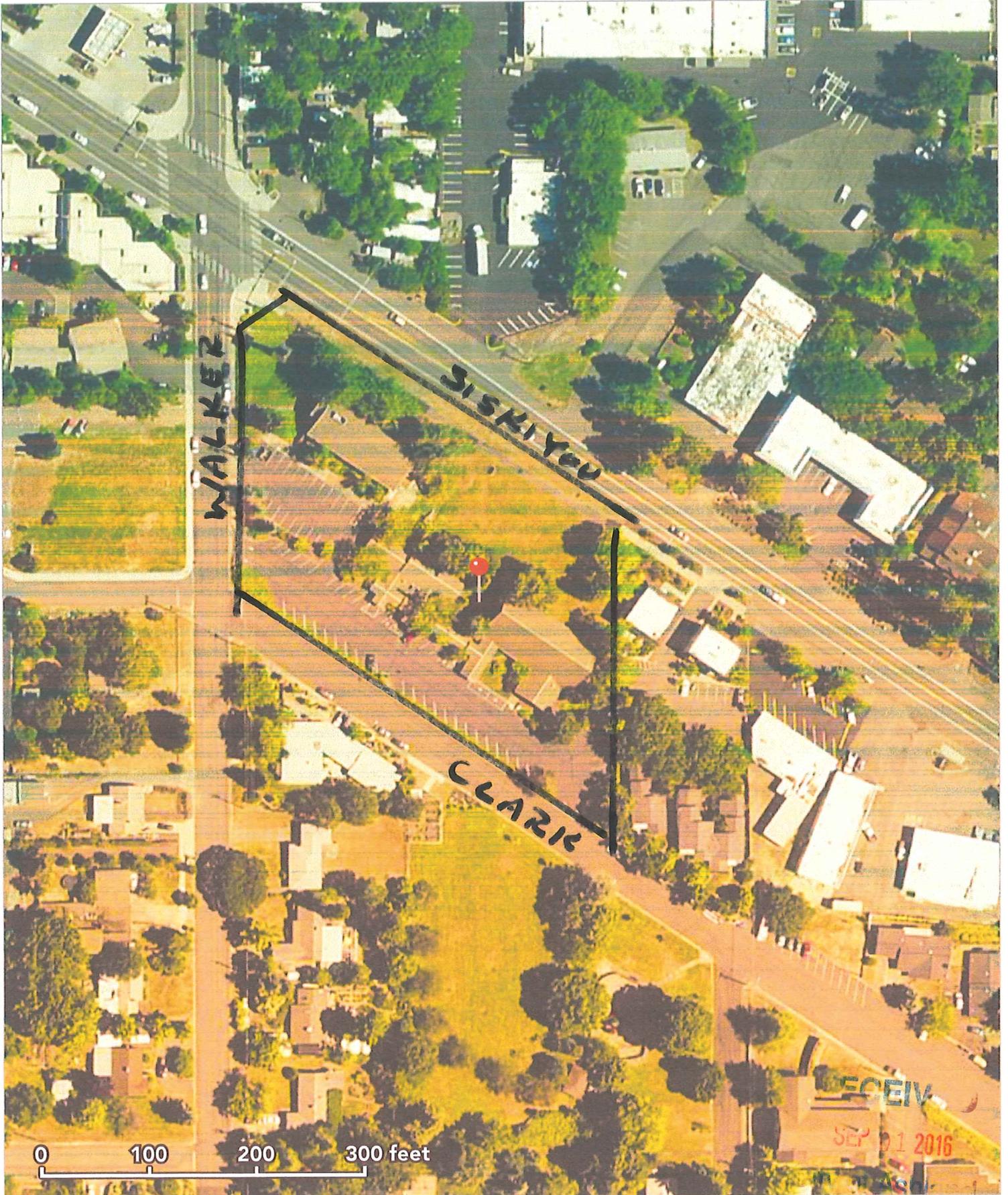
Although this is not considered a hazard tree since it is unlikely to fall on a person, it would severely damage the building should it topple. This could cause thousands of dollars in damage to the roof and interior of the office. The roots have been cut back over the years, yet more growth has caused the sidewalk, which connects the sanctuary to the fellowship hall and is in constant use, to lift and become uneven. That is a concern as the congregation includes many older members.

The reasons for removal are several, most related to its location. The tree was unfortunately planted over the water line, which of course has caused flow problems. This female ginkgo drops lots of fruit in the fall that clog the gutters and downspouts on the building, then the standing water leaks down the walls, damaging the sheet rock and soaking electronic equipment and connectors. Replacement is costly both financially and in productivity, as the staff must then work without needed machines. The significant leaf fall each autumn causes this same sidewalk to be slippery; again, a concern for pedestrians. If the tree were to fall, the damage would be costly and quite disruptive to the work of the church—that building houses various recovery groups as well as church staff.

Therefore, we ask permission to remove this tree that long ago outlived its usefulness.

Thank you for your consideration,  
Buildings and Grounds committee

RECEIVED  
SEP 01 2016  
City of Ashland



↑ N



Map data ©2016 Google 20 ft

TREE TO BE REMOVED

RECEIVED

SEP 01 2016

City of Ashland

1615 CLARK

ASHLAND, OR. 97520



FIRST PRESBYTERIAN  
1615 CLARK  
ASHLAND, OR. 97520

1-22  
TREE TO BE  
REMOVED

